Appendix A

Agency Coordination

- 1. Notice of Intent
- 2. Scoping Letter and Meeting Summary
- 3. Agency Responses
- 4. Letters from Federal, State, and Local Agencies
- 5. Resolutions and MOUs

A1. Notice of Intent

- Federal Register, May 22, 2003
- Federal Register, February 3, 2006

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application (03–03–C–00–HLN) To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Helena Regional Airport, Submitted by the Helena Regional Airport Authority, Helena Regional Airport, Helena, MT

AGENCY: Federal Aviation Administration (FAA), DOT. **ACTION:** Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use PFC revenue at Helena Regional Airport under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR 158).

DATES: Comments must be received on or before June 23, 2003.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: David S. Stelling, Manager; Helena Airports District Office, HLN–ADO; Federal Aviation Administration; 2725 Skyway Drive, Suite 2, Helena, MT 59602.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ronald S. Mercer, Airport Director, at the following address: 2850 Skyway Drive, Helena, MT 59602.

Air Carriers and foreign air carriers may submit copies of written comments previously provided at Helena Regional Airport, under section 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT:

David S. Stelling, 406–449–5271, Airports District Office, 2725 Skyway Drive, Suite 2, Helena, MT 59602. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application (03–03–C–00–HLN) to impose and use PFC revenue at Helena Regional Airport, under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On May 13, 2003, the FAA determined that the application to impose and use the revenue from a PFC, submitted by Helena Regional Airport, Helena, Montana, was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later

than August 22, 2003. The following is a brief overview of the application.

Level of the proposed PFC: \$4.50. Proposed charge-effective date: October 1, 2003.

Proposed charge-expiration date: June 1, 2010.

Total requested for use approval: \$2,350,897.

Brief description of proposed projects:
Disabled Passenger Access Lift
Acquisition; Southside Taxilane
Construction—Phase I; Southside
Taxilane Construction—Phase II; Loop
Road and Parking Lot Improvements;
Runway 9 perimeter Access Road;
Terminal Building Expansion and
Remodel; Snow Removal Equipment
Acquisition; and Aircraft Rescue and
Fire Fighting Equipment Acquisition.

Class or classes of air carriers that the public agency has requested not be required to collect PFC's: On-demand, Air Taxi/Commercial Operators (ATCO).

Any person may inspect the application in person at the FAA office listed above under FOR FURTHER INFORMATION CONTACT and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Region, Airports Division, ANM–600, 1601 Lind Avenue SW., Suite 315, Renton, WA 98055–4056

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Helena Regional Airport.

Issued in Renton, Washington on May 13, 2003.

David A. Field,

Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.

[FR Doc. 03–12820 Filed 5–21–03; 8:45 am] $\tt BILLING\ CODE\ 4910–13-M$

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Environmental Impact Statement: Rail Corridor—Petersburg, Virginia (Collier Yard) to Raleigh, North Carolina (Boylan Wye)

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: The FRA is issuing this notice to advise the public that a Tier II Environmental Impact Statement (EIS) will be prepared for a 138-mile portion of the Southeast High Speed Rail

(SEHSR) Corridor from Petersburg, Virginia (Collier Yard) to Raleigh, North Carolina (Boylan Wye).

FOR FURTHER INFORMATION CONTACT: Mr. David Foster, Rail Environmental Programs Manager, North Carolina Department of Transportation Rail Division, 1553 Mail Service Center, Raleigh, NC, 27699–1553, telephone (919) 508–1917; or Mr. David Valenstein, Environmental Program Manager, Federal Railroad Administration (FRA), 400 Seventh Street, SW., MS 20, Washington, DC 20590, telephone (202) 493–6368.

SUPPLEMENTARY INFORMATION: The FRA, in cooperation with the Federal Highway Administration (FHWA), the North Carolina Department of Transportation (NCDOT), and the Virginia Department of Rail and Public Transportation (VDRPT), will prepare a Tier II Environmental Impact Statement for a 138-mile portion of the SEHSR Corridor from Petersburg, Virginia at Collier Yard to Raleigh, North Carolina at the Bovlan Wve. This study will evaluate alternatives and environmental impacts within the preferred corridor (Alternative A) described in the Tier I Record of Decision for the SEHSR Corridor from Washington, DC to Charlotte, North Carolina. The study corridor generally follows the Burgess Connector rail line from Collier Yard to Burgess, Virginia and the former Seaboard Air Line (S-line) from Burgess to Raleigh, North Carolina.

Multiple options within the preferred corridor exist to connect the S-line from Burgess to Main Street Station in Richmond, Virginia, which is the destination for intercity rail service in this segment of the SEHSR Corridor. VDRPT and the FRA propose to address options in this area in separate environmental documentation to be prepared prior to construction of the SEHSR between Richmond, Virginia and Raleigh, North Carolina. Different routings are possible through Petersburg and capacity issues exist on the A-line particularly crossing the Appomattox River would be considered in the separate documentation.

This environmental process has four basic goals: (1) Reiterate the purpose and need as established in the Tier I EIS for the Washington DC to Charlotte NC portion of the SEHSR corridor; (2) develop alternatives within the study corridor; (3) conduct a detailed evaluation of environmental impacts for the alternatives; and (4) select a preferred alternative.

Scoping and Comments: FRA encourages broad participation in the EIS process during scoping and subsequent review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies and the public at large to insure the full range of issues related to the proposed action and all reasonable alternatives are addressed and all significant issues are identified. Public agencies with jurisdiction are requested to advise the FRA and NCDOT of the applicable permit and environmental review requirements of each agency, and the scope and content of the environmental information that is germane to the agency's statutory responsibilities in connection with the proposed improvements. Agency scoping meetings have been scheduled for June 17 and 18, 2003 at the following locations:

- June 17, 10:30 am, VDRPT Executive Conference Room, 1313 East Main Street, Suite 300, Richmond, VA.
- June 18, 10:00 am, NCDOT Photogrammetry Conference Room, Room 322–A, 1020 Birch Ridge Drive, Building B, Raleigh, NC.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies in North Carolina and Virginia. An iterative public involvement/ information program will support the process. The program will involve newsletters, a project hotline, informational workshops, small group meetings, and other methods to solicit and incorporate public input throughout the planning process.

Comments and questions concerning the proposed action should be directed to NCDOT or to the FRA at the addresses provided above. Additional information can be obtained by visiting the project Web site at http:// www.sehsr.org or calling the toll-free project number 1–877–749–RAIL (7245).

Issued in Washington DC on May 15, 2003. Mark E. Yachmetz,

Associate Administrator for Railroad Development.

[FR Doc. 03–12812 Filed 5–21–03; 8:45 am] **BILLING CODE 4910–06–P**

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34343]

International Steel Group Inc.— Continuance in Control Exemption— ISG Railways, Inc.

International Steel Group Inc. (ISG), a noncarrier, has filed a verified notice of exemption to continue in control of ISG Railways, Inc. (ISG Railways),¹ upon ISG Railways becoming a Class II rail carrier

This transaction is related to a simultaneously filed verified notice of exemption in STB Finance Docket No. 34344, ISG Railways, Inc.—Acquisition of Control Exemption—Assets of Keystone Railroad LLC d/b/a Philadelphia, Bethlehem and New England Railroad Company, Conemaugh & Black Lick Railroad Company LLC, Steelton & Highspire Railroad Company LLC, Lake Michigan & Indiana Railroad Company LLC, Brandywine Valley Railroad Company LLC, Upper Merion & Plymouth Railroad Company LLC, Patapsco & Back Rivers Railroad Company LLC, and Cambria and Indiana Railroad, Inc., wherein ISG Railways seeks to acquire the rail lines and substantially all other assets of Keystone Railroad LLC d/b/a Philadelphia, Bethlehem and New England Railroad Company, Conemaugh & Black Lick Railroad Company LLC, Steelton & Highspire Railroad Company LLC, Lake Michigan & Indiana Railroad Company LLC, Brandywine Valley Railroad Company LLC, Upper Merion & Plymouth Railroad Company LLC, Patapsco & Back Rivers Railroad Company LLC, and Cambria and Indiana Railroad, Inc., all Class III rail carrier subsidiaries of Bethlehem Steel Corporation.

The proposed transaction was scheduled to be consummated on or after April 29, 2003, the effective date of the exemption (7 days after the exemption was filed).

ISG currently indirectly controls two existing Class III railroads: ISG South Chicago & Indiana Harbor Railway Company, operating in Illinois and Indiana, and ISG Cleveland Works Railway Company, operating in Ohio.²

ISG states that: (1) The rail lines to be acquired by ISG Railways will not connect with the rail lines of any existing rail carrier in the ISG corporate family; (2) this control transaction is not part of a series of anticipated transactions that would result in such a connection; and (3) this control transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval of requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Because the transaction involves at least one Class II and one or more Class III rail carriers, the exemption is subject to labor protection requirements of 49 U.S.C. 11326(b).

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings referring to STB Finance Docket No. 34343, must be filed with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Kevin M. Sheys, Kirkpatrick & Lockhart LLP, 1800 Massachusetts Avenue, NW.,—2nd Floor, Washington, DC 20036.

Board decisions and notices are available on our Web site at www. stb.dot.gov.

Decided: May 15, 2003. By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 03–12858 Filed 5–21–03; 8:45 am]

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board [STB Finance Docket No. 34344]

ISG Railways, Inc.—Acquisition of Control Exemption—Assets of Keystone Railroad LLC d/b/a
Philadelphia, Bethlehem and New England Railroad Company,
Conemaugh & Black Lick Railroad
Company LLC, Steelton & Highspire
Railroad Company LLC, Lake Michigan & Indiana Railroad Company LLC,
Brandywine Valley Railroad Company
LLC, Upper Merion & Plymouth
Railroad Company LLC, Patapsco &
Back Rivers Railroad Company LLC,
and Cambria and Indiana Railroad, Inc.

ISG Railways, Inc. (ISG Railways),¹ a noncarrier, has filed a verified notice of exemption to acquire, pursuant to an asset purchase agreement, the rail lines and substantially all other assets of Keystone Railroad LLC d/b/a Philadelphia, Bethlehem and New

¹ ISG Railways, is a wholly owned subsidiary of ISG Acquisition, Inc., which is a wholly owned subsidiary of ISG.

² See International Steel Group, Inc.— Continuance in Control Exemption—ISG South Chicago & Indiana Harbor Railway Company and ISG Cleveland Works Railway Company, STB Finance Docket No. 34201 (STB served May 19,

¹ ISG Railways is a wholly owned subsidiary of ISG Acquisition, Inc., which is a wholly owned subsidiary of International Steel Group Inc.

a form as prescribed by the Secretary, of the sponsor's intent to apply for the funds apportioned to it (entitlements). This notice applies only to those airports that have had entitlement funds apportioned to them, except those nonprimary airports located in designated Block Grant States. Notification of the sponsor's intent to apply during fiscal year 2006 for any of its available entitlement funds including those unused from prior years, shall be in the form of inclusion of projects for fiscal year 2006 in the Airports Capital Improvement Plan.

This notice is promulgated to expedite and prioritize grants in the final quarter of the fiscal year. Absent an acceptable application by May 1, 2006, FAA will defer an airport's entitlement funds until the next fiscal year. Pursuant to the authority and limitations in section 47117(f), FAA will issue discretionary grants in an aggregate amount not to exceed the aggregate amount of deferred entitlement funds. Airport sponsors may request unused entitlements after September 30, 2006.

Issued in Washington, DC on January 12, 2006.

Barry L. Molar,

Manager, Airports Financial Assistance Division.

[FR Doc. 06–1034 Filed 2–2–06; 8:45 am] BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Environmental Impact Statement: Rail Corridor—Richmond, VA (Main Street Station) to Raleigh, NC (Boylan Wye), Extension of Study Area to Richmond, VA

AGENCY: Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT).

ACTION: Notice of Intent To Prepare an Environmental Impact Statement.

SUMMARY: The FRA is issuing this notice to advise the public of a revision to the Northern terminus of the project to be studied in the Tier-II Environmental Impact Statement (EIS) for the Southeast High Speed Rail (SEHSR) Corridor in Virginia and North Carolina. The previous Notice of Intent issued on May 22, 2003 identified a Northern project terminus in Petersburg, Virginia at Collier Rail Yard. The EIS study area now extends from Main Street Station in Richmond, Virginia to Raleigh, North Carolina (Boylan Wye), forming a

project corridor approximately 168 miles long.

FOR FURTHER INFORMATION CONTACT: Mr. David Foster, Rail Environmental Programs Manager, North Carolina Department of Transportation Rail Division, 1553 Mail Service Center, Raleigh, NC, 27699–1553, telephone # (919) 733–7245 x 266; or Mr. John Winkle, Project Manager, Federal Railroad Administration (FRA), 400 Seventh Street, SW., MS 20, Washington, DC 20590, telephone # (202) 493–6067.

SUPPLEMENTARY INFORMATION: In May 2003 the FRA, in cooperation with the Federal Highway Administration (FHWA), the North Carolina Department of Transportation (NCDOT), and the Virginia Department of Rail and Public Transportation (VDRPT), began a Tier-II **Environmental Impact Statement (EIS)** for the 138-mile portion of the SEHSR Corridor from Petersburg, Virginia at Collier Yard to Raleigh, North Carolina at the Boylan Wye. This study is evaluating rail alternatives and environmental impacts within the preferred corridor (Alternative A) described in the Tier-I Record of Decision for the SEHSR Corridor from Washington, DC to Charlotte, North Carolina. The previous Notice of Intent (68 FR 28044) disclosed that multiple options within the preferred SEHSR corridor exist to connect the S-line from Burgess to Main Street Station in Richmond, Virginia.

The study limits of the Richmond to Raleigh Tier II EIS are now being extended to Richmond Main Street Station adding approximately 30 miles to the study corridor and encompassing the previously disclosed multiple options in this area. The additional study corridor generally follows the CSX S-line from Richmond Main Street Station to Centralia, and the CSX main line (A-line) from Centralia to Dunlop. From Dunlop to Burgess, Virginia there are multiple alternatives that will be evaluated, including different locations for crossing the Appomattox River to join the former Seaboard Air Line (Sline) to Raleigh, North Carolina.

This Tier-II environmental process has four basic goals: (1) Reiterate the purpose and need as established in the Tier-I EIS for the Washington, DC to Charlotte, NC portion of the SEHSR corridor; (2) develop site-specific rail alternatives within the study corridor; (3) conduct a detailed evaluation of environmental impacts for the alternatives; and (4) select a preferred alternative. Agency scoping meetings for the extended study area will be

scheduled in Richmond Virginia in late February or early March of 2006.

Letters describing the proposed action alternatives and soliciting comments will be sent to appropriate Federal, State, and local agencies in Virginia. An iterative public involvement/ information program will support the process. The program will involve newsletters, a project hotline, informational workshops, small group meetings, and other methods to solicit and incorporate public input throughout the planning process.

To ensure that the full range of issues relating to the proposed action is addressed, comments and suggestions are invited from all interested parties. Comments and questions concerning the extension of the proposed action should be directed to NCDOT or to the FRA at the addresses provided above. Additional information can be obtained by visiting the project Web site at http://www.sehsr.org or calling the toll-free project number 1–877–749–RAIL (7245).

Issued in Washington, DC, on January 30, 2006.

Mark E. Yachmetz,

Associate Administrator for Railroad Development.

[FR Doc. E6-1500 Filed 2-2-06; 8:45 am] BILLING CODE 4910-06-P

DEPARTMENT OF TRANSPORTATION

Research & Innovative Technology Administration

Agency Information Collection; Activity Under OMB Review; Part 249 Preservation of Records

AGENCY: Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, the Bureau of Transportation Statistics invites the general public, industry and other governmental parties to comment on the continuing need for and usefulness of BTS requiring certificated air carriers to preserve accounting records, consumer complaint letters, reservation reports and records, system reports of aircraft movements, etc. Also, public charter operators and overseas military personnel charter operators are required to retain certain contracts, invoices, receipts, bank records and reservation records.

A2. Scoping Letter and Meeting Summary



STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY GOVERNOR

LYNDO TIPPETT SECRETARY

May 19, 2003

Mr. Jay Westbrook Assistant Vice President Passenger & Operations Planning **CSX** Transportation 500 Water Street - J120 Jacksonville, FL 32202

SUBJECT:

Scoping Letter for Tier II Environmental Impact Statement, Southeast High Speed Rail Corridor from Petersburg, Virginia (Collier Yard) to Raleigh, North Carolina (Boylan Wye), NCDOT State Project No.

9.9083002, NCTIP Project No. P-3819

Dear Mr. Westbrook:

The North Carolina Department of Transportation (NCDOT) and the Virginia Department of Rail and Public Transportation (VDRPT) have begun studying a 138-mile portion of the Southeast High Speed Rail (SEHSR) Corridor from Petersburg, Virginia (VA) to Raleigh, North Carolina (NC) (see vicinity map). NCDOT and VDRPT, in cooperation with the Federal Railroad Administration (FRA) and the Federal Highway Administration (FHWA), will prepare a Tier II Environmental Impact Statement (EIS) for this project. The Draft EIS is to be completed in late 2004, and the Final EIS and Record of Decision (ROD) are to be completed in 2005.

The Petersburg to Raleigh portion of the SEHSR Corridor is part of an overall plan to extend high speed rail service from the Northeast Corridor (Boston to Washington, DC) southward from Washington, DC to Charlotte, NC. The purpose of the project is to offer a competitive transportation mode that will divert travelers from air and auto travel within the SEHSR corridor. A Tier I ROD and Final EIS were completed in 2002, confirming the preferred route for the SEHSR Corridor from Washington, DC to Charlotte, NC. Other independent Tier II studies will be performed for portions of the corridor from Washington, DC to Charlotte, NC, as appropriate to the actions needed in those portions.

The Petersburg to Raleigh study will evaluate alternatives and environmental impacts within the preferred corridor (Alternative A) described in the Tier I study. The study corridor generally follows the Burgess Connector rail line from Collier Yard to Burgess, VA and the former Seaboard Air Line (S-line) from Burgess, VA to the Boylan Wye in Raleigh, NC where the line joins the NC Railroad corridor. The Norlina, NC to Raleigh,

NC portion of the S-line is an active CSX Railroad freight line with two to four daily freight trains. However, CSX took the Petersburg, VA to Norlina, NC section out of service in 1985 and removed all track and signals.

This environmental process has four basic goals: (1) reiterate the purpose and need as established in the Tier I EIS for the Washington, DC to Charlotte, NC portion of the SEHSR corridor; (2) develop alternatives within the study corridor; (3) conduct a detailed evaluation of environmental impacts for the alternatives; and (4) select a preferred alternative.

We invite you to attend one of the agency scoping meetings scheduled for June 17 and 18, 2003 at the following locations:

- June 17, 10:30 am, VDRPT Executive Conference Room 1313 East Main Street, Suite 300, Richmond, VA
- June 18, 10:00 am, NCDOT Photogrammetry Conference Room, Room 322-A 1020 Birch Ridge Drive, Building B, Raleigh, NC

Your participation in this process will help us to fully evaluate the impacts of the proposed project. Please respond in writing by June 30 concerning any beneficial or adverse impacts of the proposed Southeast High Speed Rail improvements relating to the interest of your agency. If applicable, please identify any permits or approvals that may be required by your agency. If your agency desires to be a cooperating agency in this environmental study, please indicate so in writing.

If you have questions concerning this project, please contact me at (919) 508-1917 or Alan Tobias, VDRPT Rail Passenger Programs Manager at (804) 786-1063.

Thank you for your cooperation.

Sincerely,

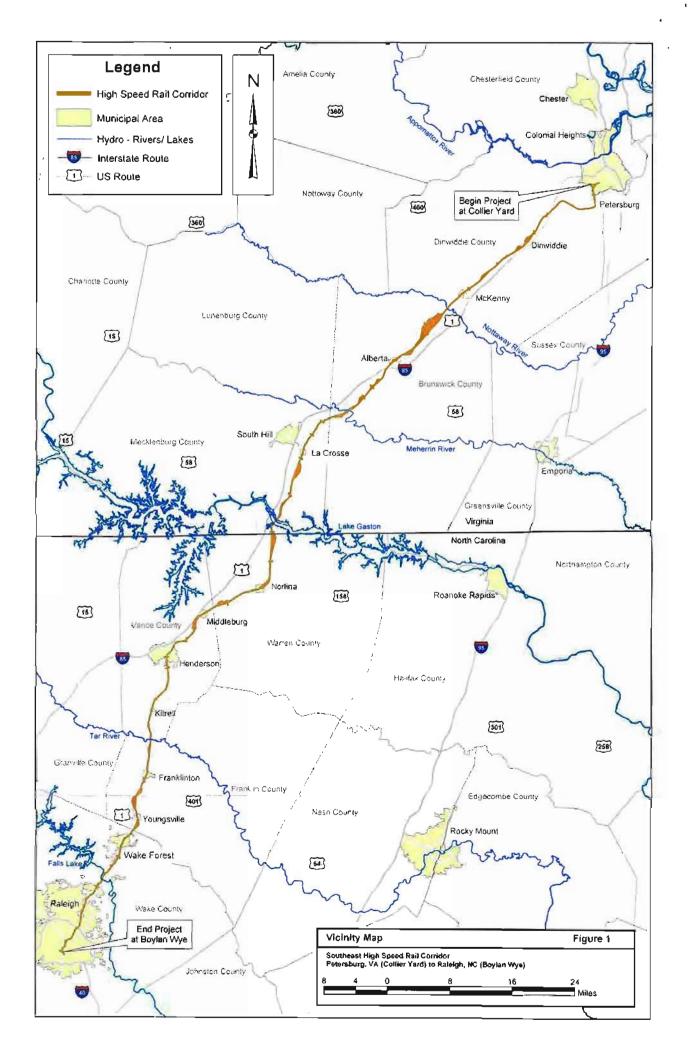
David B. Foster, P.E.

Rail Environmental Programs Manager

Marf & Fath

DBF/mr

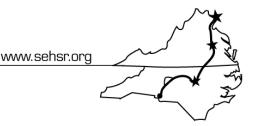
Attachment



First_Name	Last_Name	Title	Organization	City	State
Melba	McGee	Clearinghouse Coordinator	NC DENR	Raleigh	NC
Línda	Pearsall	3	NC Div. of Parks & Recreation, Nat. Heritage	Raleigh	NC
Craig	Deal	Director	NC DENR, Highway Environmental Eval.	Raleigh	NC
John	Dorney		NC Div. of Water Quality (DENR), Wetlands Unit	Raleigh	NC
Jay	McArthur	General Manager	Amtrak	Raleigh	NC
Greg	Thorpe	Project Dev. & Environmental Analysis Manager	NCDOT	Raleigh	NC
Jean	Manuele	Project Manager (NCUSACE)	Corps of Engineers NC	Raleigh	NC
Garland	Pardue	Project Manager (Neodines)	US Fish & Wildlife Service	Raleigh	NC
Tyrone Y.	Cox	Member BOT	NCDOT Div. 5	Durham	NC
,			NCDOT Div, 5	Durham	NC
Jon	Nance	Division Engineer		Richmond	VA
Jerry	Combs	Applet Div. A desirelatesta	FHWA		
Samuel	Hayes	Assist. Div. Administrator	VDOT-Location & Design	Richmond	VA
Alice	Allen-Grimes		Corps of Engineers	Norfolk	VA
Leslie	Grayson		VA Outdoors Foundation	Aldie	VA
Mike	Foreman		VA Dept. of Forestry	Charlottesville	VA
Eugene	Rader		VA Dept. of Mines, Minerals, & Energy	Charlottesville	VA
John	Davy		VA Dept of Conservation & Recreation Resouces	Richmond	VA
Dona	Huang		VA Dept. of Environmental Quality-Air Div.	Richmond	VA
Martin	Ferguson		VA Dept. of Environmental Quality-Water Div.	Richmond	VA
Asif	Malik		VA Dept. of Health-Water Programs	Richmond	VA
Tamara	Neal		VDOT - Public Affairs	Richmond	VA
Patsy	Napier	Location & Design Div.	VDOT - Public Involvement	Richmond	VA
Sherry	Munford	-	VDOT - Public Involvement	Richmond	VA
Karen	Rae	Director	VDRPT	Richmond	VA
Ray	Fernald		VA Dept of Game & Inland Fisheries	Richmond	VA
Nicholas	Fraser		VA Museum of Natural History	Martinsville	VA
David	Cox		NC Wildlife Resources Comission	Creedmoor	NC
Carl	Goode	Human Environment Office Manager	NCDOT	Raleigh	NC
Alan	Klimek	Division Director	NC DENR, Div. Of Air Quality	Raleigh	NC
Brian	Cole	DIVISION DIRECTOR	US Fish & Wildlife Service-Asheville Office	Asheville	NC
Alex	McNeil		Federal Transit Administration, Region IV	Atlanta	GA
B. David	Canada	City Managar	City of Petersburg	Petersburg	VA
		City Manager	,	Raleigh	NC
J. Russell	Allen	Manager	City of Raleigh	•	NC
Richard	Self	Manager	Franklin County	Louisburg	
Deborah	Wetter	A classication Asia	Amtrak	New Orleans	LA
Polly	Johnson	Administrator	Mecklenburg County	Boydton	VA
Virginia	Howard	Clerk	Town of McKenney	McKenney	VA
John	Stockton	Manager/Clerk	Town of South Hill	South Hill	VA
Neil	Mallory	Executive Director	Kerr-Tar COG (Region K)	Henderson	NC
Jerry	Ayscue	Manager	Vance County	Henderson	NC
David C.	Cooke	Manager	Wake County	Raleigh	NC
Loria	Williams	Manager	Warren County	Warrenton	NC
Bill	Vance	Manager	Town of Franklinton	Franklinton	NC
Brenda	Robbins	Administrator	Town of Youngsville	Youngsville	NC
Scott	Saylor		North Carolina Railroad	Raleigh	NC
Renee	Gledhill-Earley		NC Div. of Cultural Resources -SHPO	Raleigh	NC
Bryan	David	Administrator	Brunswick County	Lawrenceville	VA
Wendy	Ralph	Administrator	Dinwiddle County	Dinwiddie	VA
Dennis	Morris	Executive Director	Crater PDC	Petersburg	VA
Winston	Kerlev	Clerk	Town of Kittrell	Kitrell	NC
Helen	Floyd	Clerk	Town of Middleburg	Middleburg	NC
Paula	Pulley	Clerk	Town of Norlina	Norlina	NC
Mark	Williams	Manager	Town of Wake Forest	Wake Forest	NC
Joyce	French	Executive Director	Southside PDC	South Hill	VA
Wanda	Johnson	Clerk	Town of Alberta	Alberta	VA
	Evans	Clerk/Treasurer	Town of La Crosse	La Crosse	VA
Ernestine		Clerk/medsurer		Richmond	VA
Rob	Shinn	District A designishmen	CSX Transportation		
Thomas	Hawthorne	District Administrator	VDOT-Richmond District	Colonial Heights	
Mike	Bruff	Group Manager	NCDOT-Statewide Planning	Raleigh	NC
Lyman	Cooper	Resident Vice President	CSX Transportation	Raleigh	NC
Gerald P.	McCarthy			Richmond	VA
Ken	Krulik			Henderson	NC
Eric	Williams		City of Henderson	Henderson	NC
Paul	Worley		NCDOT Rail Div.	Raleigh	NC
David	Valenstein		Federal Railroad Administration	Washington	DC
Dave	Grimes		VDOT - Environmental	Richmond	VA
William	Hester		US Fish and Wildlife Service	Gloucester	VA
Julie	Hunt	Planner	Carter & Burgess	Raleigh	NC
Brandon H.		District Engineer	NCDOT Div. 5 -1" District 1	Raleigh	NC
Scott		District Engineer	NCDOT Div. 5 - 1" District 3	Henderson	NC
	Capps Williams	•	NCDOT Rail Div.	Raleigh	NC
Shirley		Assistant Director		•	NC
Jim	Harris	Engineering Manager-Track & Structures	NCDOT Rail Divi.	Raleigh	NC

Southeast High Speed Rail Petersburg, VA to Raleigh, NC Scoping Letter Recipients

Allan	Paul	Assistant Director for Operations	NCDOT Rail Div.	Raleigh	NC
Deborah M.	Barbour	State Design Engineer	NCDOT - Highway Design Branch	Raleigh	NC
Troy A.	Peoples	State Traffic Engineer	NCDOT - Traffic Engineering And Safety Systems Branch	Raleigh	NC
David	Hinnant	State Railroad Agent	NCDOT - Right Of Way Branch	Raleigh	NC
Mark L.	Reep	PE	Buck Engineering	Cary	NC
Marcus	Wilner	Planningi"& Programming Developmenti"Manage		Raleigh	NC
John	Claflin	General Manager	TTA	RTP	NC
Cynthia	Brown	<u> </u>	VDOT - Public Affairs	Richmond	VA
Tony	Opperman		VDOT - Environmental	Richmond	VA
Karen	Sismour		VA Dept. of Environmental Quality-Waste Div.	Richmond	VA
Ellie	Irons		VA Dept. of Environmental Quality-Env. Impact Review	Richmond	VA
Jay	Woodward		Marine Resources Commission	Newport News	VA
Ann	Deaton	Chief	Fifth Coast Guardi "District, Bridge Administration Branch	Portsmouth	VA
Timothy	Goodger		National Marine Fisheries Service	Oxford	MD
Pete	Sklannik	Chief Operating Officer	Virginia Rail Express	Alexandria	VA
Bill	Arguto	Environmental Review Coordinator	US Environmental Protection Agency, Region 3	Philadelphia	PA
Chris	Militscher		US Environmental Protection Agency, Region 4	Raleigh	NC
Ted	Bisterfeld		US Environmental Protection Agency, Region 4	Atlanta	GA
Kathleen	Kilpatrick		Department of Historic Resources	Richmond	VA
Drew	Thomas		NCDOT Rail Div.	Raleigh	NC
Keith	Tignor	Endangered Species Coordinator	VA Dept. of Agriculture & Consumer Services	Richmond	VA
Nina S.	Szlosberg	Member BOT, At-Large	NCDOT Division 5	Raleigh	NC
Patrick	Simmons		NCDOT Rail Div	Raleigh	NC
David B.	Foster	Project Manager	NCDOT Rail Div	Raleigh	NC
Diana	Young-Paiva		NCDOT Rail Div	Raleigh	NC
Marc	Hamel		NCDOT Rail Div	Raleigh	NC
George R.	Conner		VA Dept of Rail and Public Trans.	Richmond	VA
Alan C.	Tobias		VA Dept of Rail and Public Trans	Richmond	VA
Rob	Ayers	Environmental Programs Coordinator	FHWA	Raleigh	NC
Jay	Westbrook	Assistant Vice President	CSX Transportation, Passenger & Operations Planning	Jacksonville	FL



DATE: June 27, 2003

MEMO TO: Interagency Scoping Participants

FROM: David B. Foster, P.E., Rail Environmental Programs Manager

NCDOT Rail Division, Environmental and Planning Branch

PREPARED BY: Mark L. Reep, P.E., Project Manager

Buck Engineering

SUBJECT: June 17-18 Interagency Scoping Meetings for Tier II Environmental

Impact Statement, Southeast High Speed Rail Corridor from Petersburg, Virginia (Collier Yard) to Raleigh, North Carolina (Boylan Wye), NCDOT

State Project No. 9.9083002, NCTIP Project No. P-3819

On June 17-18, 2003, interagency scoping meetings were held in Richmond, VA and Raleigh, NC for the proposed Southeast High Speed Rail (SEHSR) Corridor between Petersburg, VA and Raleigh, NC (see attached list of meeting participants). The purpose of the meetings was to provide an overview of the SEHSR corridor, answer questions, and receive input on issues that should be addressed in the Tier II Environmental Impact Statement (EIS).

General Meeting Overview

George Conner (VDRPT Assistant Director for Rail) and Pat Simmons (NCDOT Rail Division Director) opened the meetings with a brief welcome and introduction to high speed rail efforts in each state. David Foster, of the NCDOT Rail Division, provided an overview of the SEHSR Corridor, its context within the approved Tier I study from Washington, DC to Charlotte, NC, its relationship with other high speed rail corridors, and a summary of the current Tier II EIS (see attached meeting summary).

Julie Hunt, of Carter & Burgess, outlined the proposed public involvement initiatives for the Tier II EIS. These include a recent newsletter mailing (sent to approximately 8000 people), media information packets (sent to over 100 media groups), nine public workshops (to be held from June - August), opportunities for small group community meetings, the SEHSR web page, and the toll-free project hotline.

Wayne Hyatt, of Carter & Burgess, summarized the conceptual design considerations for this study. These include:

- 110 mph maximum operating speed
- Fossil fuel locomotives
- Designed for both passenger and freight rail
- Contained within the existing 100-foot right of way, where possible
- Additional right of way may be needed in some areas for additional sidings, a second track, or curve realignments
- Potential Station Locations will be addressed in the study
- Road crossings will be addressed individually to determine which crossings should be consolidated, grade separated, or upgraded to include signals and gates.

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Mr. Foster reviewed the preliminary alternatives along the project corridor. The proposed improvements primarily follow existing rail rights-of-way, except in areas noted on the study corridor map by variations in the corridor width. In these areas (or blocks), the existing railroad curves do not meet the design standards for high speed rail. Preliminary alternatives are being considered in these blocks to flatten the rail alignment (see index map). He described three preliminary alignment alternatives that are being considered as a starting point in the study:

- Alignment One- Federal Railroad Administration (FRA) Alignment From Draft
 <u>Technical Monograph: Transportation Planning for the Richmond -</u>
 <u>Charlotte Railroad Corridor</u>, September 2002
- Alignment Two-Southeast High Speed Rail (SEHSR) Corridor Alignment From <u>Tier I</u> <u>Final Environmental Impact Statement, Washington, DC to Charlotte,</u> <u>NC</u>, June 2002
- Alignment Three- TranSystems Corporation Alignment From <u>Piedmont High Speed Rail</u> <u>Corridor Evaluation Richmond to Raleigh Final Report</u>, February 1997

These conceptual alignments were originally developed independently, with different design assumptions, and using US Geological Survey (1:24,000 scale) quadrangle base maps (shown on constraint mapping CD's, and available by request).

The project study will also incorporate a new computerized planning and route optimization tool developed by the Australian firm Quantm Ltd. Quantm uses detailed engineering and environmental information to find an optimal route for a new transportation facility. This process has the potential to save a considerable amount of time and money by quickly evaluating potential solutions that simultaneously address environmental and engineering issues. Quantm also allows timely responses to agency and public input and provides costs and benefits for potential solutions without delaying the project for extensive environmental or engineering studies.

Mark Reep, of Buck Engineering, described some of the human and natural environment considerations that will be addressed in the Tier II EIS. The preliminary impact matrix (Table 1) includes quantities of some known environmental and cultural resources within the potential 300-foot impact zone of each alignment. These preliminary impacts were calculated using various Geographical Information Systems (GIS) data sources.

Questions, Comments & Discussion Topics

Questions, comments, and discussion topics during each meeting are summarized as follows:

June 17, Richmond, VA

Several comments pertained to public involvement issues. In Virginia, a TDD
(Telecommunications Device for the Deaf) phone number will be available for use during
the project study. In an effort to update the SEHSR mailing list, a reply card was
included in the recent newsletter mailing. Members of the public who want their names
to remain on the mailing list will need to fill out and mail the insert card. Sam Hayes, of
VDOT, offered to provide a current list of local government contacts in Virginia.



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- A representative from the Crater Planning District Commission indicated that the detailed costs for upgrading the rail corridor and results of the engineering studies would be important information to present at future public hearings.
- A participant commented that Petersburg area recommendations from the VDRPT Richmond to South Hampton Roads high speed rail feasibility study should be factored into the current SEHSR study.
- Participants commented on areas in Virginia where private properties encroach on the rail right of way. These encroachments occur in several areas near Burgess, Dinwiddie, the Nottoway River, and McKenney.
- An advisory committee will be assembled in the near future to offer guidance during the Tier II EIS. Representatives may include members from the state transportation agencies, rail organizations, local governments, planning jurisdictions, resource agencies, and other environmental specialties.

June 18, Raleigh, NC

- Ed Lewis, of NCDOT's Human Environment Unit, suggested translating some materials in Spanish and advertising workshops in the <u>Que Pasa</u> publication.
- A representative from Vance County noted that in some areas US 1 is located as close as 60 feet from the existing rail line. A number of school buses turn from US 1 and cross the railroad tracks. The railroad crossing designs or signals should account for buses making turns at these intersections.
- A participant asked if the project would be contingent upon freight rail. Shared freight
 and passenger rail use is planned for the corridor. CSX Transportation currently owns
 the right of way and operates freight service along the Norlina to Raleigh portion of the
 corridor. NCDOT and VDRPT will work with CSX to address considerations for both
 freight rail and passenger rail.
- Representatives from Wake Forest noted that a number of their historic buildings are located close to the existing rail line and asked about the project considerations in Wake Forest. The alignment alternatives in much of the Wake Forest area follow the existing rail line. Operating speeds will be limited by design factors such as horizontal curves and grades. A Noise and vibration analysis will also be conducted during the Tier II study to determine potential impacts to buildings in close proximity to the project.

Wake Forest representatives also noted that several districts along the tracks are listed on or nominated for the National Register of Historic Places. These include a mill village, the downtown district, and a proposed Wake Forest district. The proposed Wake Forest District includes portions of the rail line between Cedar Avenue and Holding Avenue.



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- Art McMillan, of NCDOT's Roadway Design Unit, commented on property access issues and planned highway improvements along the corridor. He noted NCDOT's policy for providing access to properties adjacent to transportation improvements. The Department is required to either maintain access to a property or to purchase the property. These factors should be considered during potential crossing closure or grade separation studies. Mr. McMillan requested coordination with the project coordinators for nearby highway planning and design studies in NCDOT's Transportation Improvement Program (TIP).
- Jon Nance, of NCDOT's Division 5 Office, asked about efforts for protecting the corridor from development. Consideration may be given to notify realtors and developers about the location of the project corridor. He also asked to be notified before field survey work begins along the corridor.
- A participant suggested that field survey personnel carry a single sheet project description that can be given to members of the public with questions about the project. He also suggested labeling the project maps as preliminary.
- Representatives from Henderson expressed support for a station. One stop was originally modeled during the Tier I study, and the need for an intermediate station between Petersburg and Raleigh will be addressed in the Tier II EIS.
- Ted Bisterfeld, of the US EPA, inquired about proposed bridges over rivers and streams. Jim Harris, of NCDOT's Rail Division, noted that the Tar River and Neuse River bridges were built in the 1970's and can be retained. The Roanoke River bridge piers can also be retained, but a new bridge deck and spans will need to be constructed. Mr. Bisterfeld commented that bridge deck drainage issues over high quality waters will need to be addressed during the study. He also suggested that a drainage system be considered for the Roanoke River bridge to collect and drain water to upland areas.
- Mr. Bisterfeld also commented on air quality issues. He suggested consideration for using low-content sulfur diesel fuel in the locomotives. Allen Farrell, of the EPA, is involved in a feasibility study of this diesel fuel. Mr. Bisterfeld suggested contacting the EPA Region 3 Office for input before beginning the air quality analysis. Peter Stokely, a transit air quality expert in Region 3 – Reston, VA, reviewed the Tier I study and would be a good resource person.



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Interagency Scoping Meeting Participants June 17, 2003 - Richmond, VA

Joe Vinsh Crater Planning District Commission
Dennis Morris Crater Planning District Commission

Carl Craig Town of McKinney
Jerry Combs FHWA Virginia Division
David Foster NCDOT-Rail Division
Diana Young-Paiva NCDOT-Rail Division
Marc Hamel NCDOT-Rail Division

Samuel Hayes VDOT Assistant Division Administrator

Sherry Munford VDOT Public Involvement

David Grimes VDOT Environmental Specialist

Lisa Fyall VDOT Title VI Coordinator

Tamara Neal VDOT Media Relations

George Conner VDRPT Assistant Director for Rail

Tom Stewart VDRPT Rail Passenger Programs Manager

Susan Smead VDHR Architectural Historian Gerry Wilkes Virginia DMME Geologist

Julie Hunt Carter & Burgess
Wayne Hyatt Carter & Burgess
Jim Buck Buck Engineering
Mark Reep Buck Engineering

June 18, 2003 - Raleigh, NC

Ken Krulik Kerr Tar RPO

Mark Williams Town of Wake Forest
Chip Russell Town of Wake Forest
Roe O'Donnell Town of Wake Forest
Benny Finch Vance County EDC
Sheri Jones City of Henderson

Greg Griggs Henderson-Vance Chamber of Commerce

Reid Tunstall Warren County Planning Dept.

Ted Bisterfeld US EPA Jake Riggsbee FHWA

Jim Kessler NC Railroad/ HNTB Jon Nance NCDOT-Division 5

Regina Page NCDOT-Congestion Management
Ed Lewis NCDOT-Office of Human Environment
Barbara H Church NCDOT-Office of Human Environment

Art McMillan

Shirley R Williams

David Foster

Marc Hamel

Diana Young-Paiva

Jim Harris

NCDOT-Rail Division

Sarah Medley NCDOT-Statewide Planning Branch

Julie Hunt Carter & Burgess
Wayne Hyatt Carter & Burgess
Jim Buck Buck Engineering
Mark Reep Buck Engineering

<u>Agenda</u>

Joint Agency Scoping and Advisory Committee Meeting Southeast High Speed Rail Corridor Tier II EIS Richmond, VA to Raleigh, NC Thursday, February 23, 2006

Thursday, February 23, 2006 Richmond, VA 10:00am - 12:00 Noon

1.	Introductions and Welcome	. Alan Tobias, VDRPT
2.	Background and Format for Today	. David Foster, NCDOT Rail
3.	Environmental Approach	Craig Young, Buck Engineering
4.	Rail Design Approach	. Jason Orthner, NCDOT Rail
5.	Roadway/Structures Approach	. Glenda Gibson, Gibson Engineers
6.	Extension to Richmond & Schedule	David Foster, NCDOT Rail and Winston Phillips, VDRPT
7.	Q & A	.Project Team
8.	Next Steps/ Closing Remarks	. Alan Tobias. VDRPT

Handout

Overview:

Virginia and North Carolina have been working since the mid 1990's on the portions of the Southeast High Speed Rail Corridor (SEHSR) that pass through their boundaries. SEHSR has been recognized by the Federal Railroad Administration (FRA) as having the most revenue potential of the five nationally designated original high speed rail corridors. This north/south corridor would connect in Washington, DC to the northeast corridor that connects New York and Boston.

Because these are shared corridors, any implementation of high speed passenger rail service must also facilitate freight movement and other existing and proposed uses of the corridors (such as commuter rail).

In October of 2002 the states completed a Tier I Environmental Impact Statement that identified the preferred study corridor for SEHSR through both states.

The primary motivation for the proposed rail service is captured by the following key statements from the Purpose and Need sections of the Tier I DEIS (SEHSR, Washington, DC to Charlotte, NC; August 2001):

Preferred SEHSR Corridor (Washington, DC to Charlotte, NC) as Identified in Tier I EIS



- Provide the traveling public particularly special populations such as the elderly and the disabled – with improved transportation choices;
- Help ease existing and future congestion (air, highway, passenger rail) within the corridor;
- Improve safety and energy effectiveness within the transportation network;
- Reduce the overall air quality related emissions per passenger mile traveled within the corridor; and
- Improve overall transportation system efficiency within the corridor, with a minimum of environmental impact.

Since May of 2003, the states have been developing a Tier II EIS (detailed study) for the Petersburg, VA to Raleigh, NC section of the SEHSR corridor. In December of 2005, FRA requested that the states extend the Tier II document to include the Petersburg to Richmond (at Main Street Station) portion of the corridor. This extension will evaluate different options for passing through Petersburg and will take into consideration connections to the Norfolk/Hampton Roads area. The project corridor is now approximately 168 miles from Richmond, VA to Raleigh, NC.

Attached are maps of:

- Extended Study Area, Petersburg to Richmond, VA
- Total Project Corridor for Tier II EIS, Richmond, VA to Raleigh, NC
- The Richmond to Hampton Roads study area (being done separately by VDRPT)

Projected Milestones:

February, 2006- Agency scoping meetings and Advisory Committee meetings

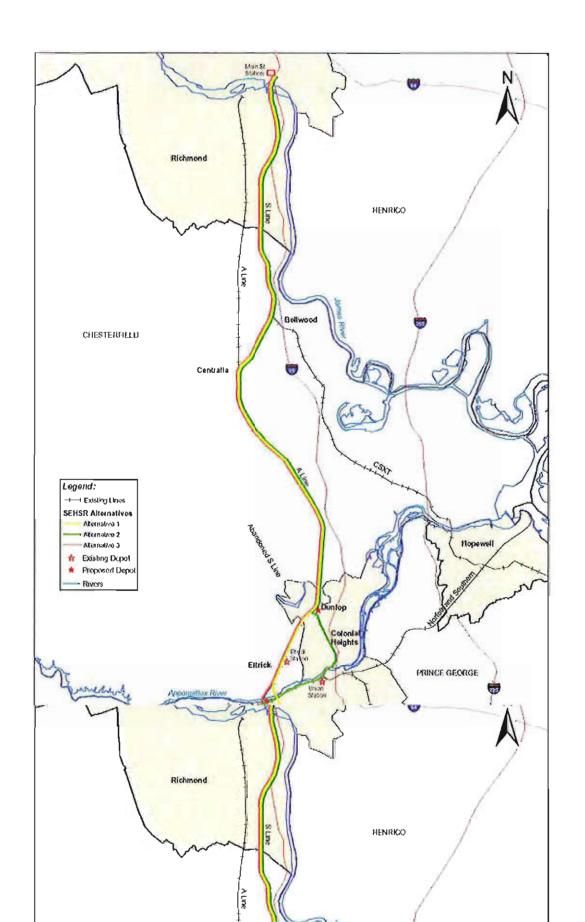
March, 2006- Public workshops in Petersburg and Richmond

May, 2007- Impact matrix complete, Advisory Committee will meet to discuss findings

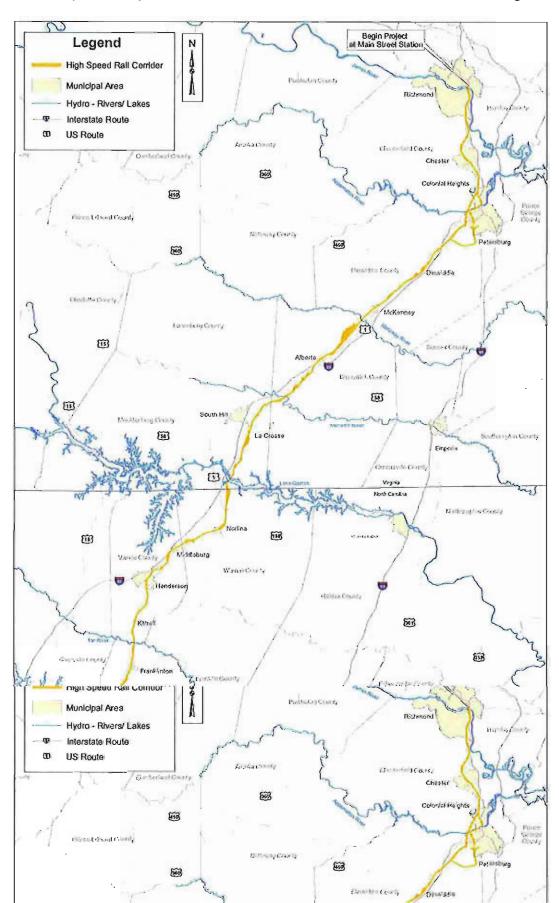
Oct, 2007- DEIS completed and signed

April, 2008- Public Hearings for the DEIS in VA and NC

Aug, 2008- FEIS completed and signed Dec, 2008- Record of Decision from FRA

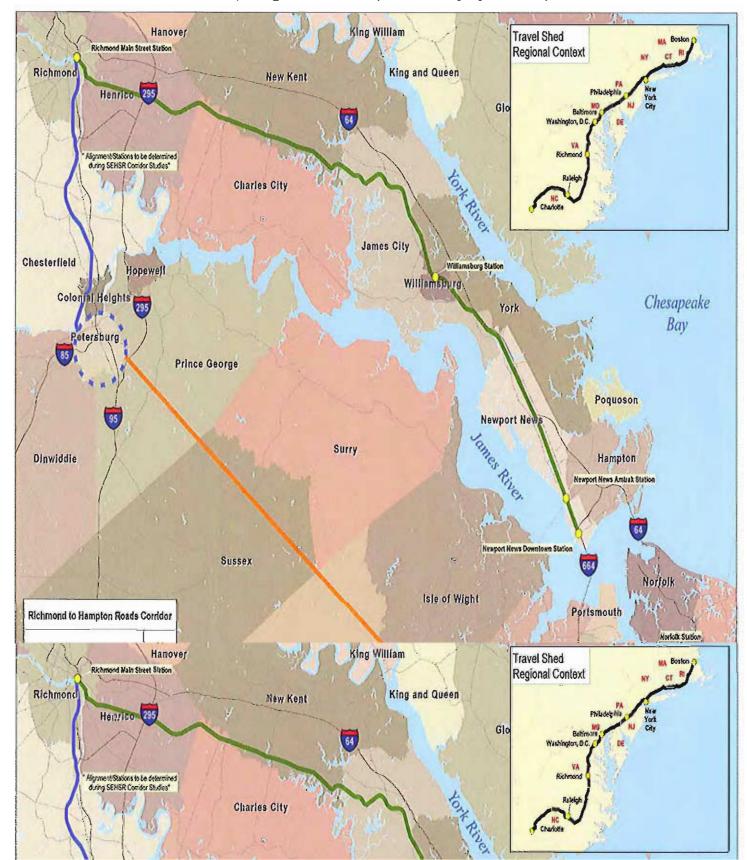


Full Length of Project Corridor for SEHSR Tier II EIS- Richmond to Raleigh



Richmond /Hampton Roads Rail Passenger Study

(Being done as a separate study by VDRPT)



Frequently Asked Questions

1. What is the Southeast High Speed Rail Corridor?

The Southeast High Speed Rail Corridor (SEHSR) is one of five originally proposed high speed passenger rail corridors designated by the US Department of Transportation (USDOT) in 1992. The corridor was designated as running from Washington, DC through Richmond, VA and Raleigh, NC to Charlotte, NC with maximum speeds of 110 mph. It is part of an overall plan to extend service from the existing high speed rail on the Northeast Corridor (Boston to Washington) to points in the Southeast.

The USDOT in 1996, extended SEHSR to Hampton Roads, VA. In 1998, the USDOT created two more extensions: 1) from Charlotte through Spartanburg and Greenville, SC to Atlanta, GA and on through Macon, GA to Jacksonville, FL, and 2) from Raleigh through Columbia, SC and Savannah, GA to Jacksonville, FL and from Atlanta to Birmingham, AL.

2. Why is SEHSR needed?

The highways of the region and the airports along the Eastern seaboard simply cannot handle the present traffic volumes, let alone accommodate future travel needs. An affordable, modern, timely alternative to driving crowded interstates or flying short distances is required.

3. What is the current status of SEHSR?

Initial environmental studies and public hearings were completed in Fall 2001. This effort examined the need for the project and looked at potential impacts on both natural and man made environments along nine possible routes.

A recommendation report was completed in early 2002, indicating the route with the best potential for high-speed rail service and the fewest environmental impacts would run from Richmond, through South Hill, VA to Norlina, Raleigh, Greensboro and Charlotte, NC. The route follows a combination of existing railroads and preserved rail corridors. Strong potential ridership, along with tremendous public and business support, led to the inclusion of a connection to Winston-Salem, as well.

The Federal Railroad Administration and the Federal Highway Administration issued a Record of Decision on the initial environmental studies in 2002, confirming and approving the route for the SEHSR. The project is currently in the second environmental study phase that includes more specific analysis along the preferred route between Richmond, VA and Raleigh, NC. This environmental study should be completed by the end of 2008.

4. How much will it cost to build the SEHSR?

Reconstructing and upgrading the existing rail lines between Washington and Charlotte is estimated to cost \$2.6 billion, or about one-third less per mile than similar interstate highway projects. Construction costs for SEHSR segments in South Carolina and Georgia have not yet been determined.

5. How much time will I save?

Proposed high speed rail trip times (approximate) include: Washington, DC to Charlotte – 6hrs 10 min. – 6hrs 50 min. Washington to Richmond in 1hr 55 min –2 hrs (to Main Street Station) Richmond to Raleigh in 1hr. 55 min – 2 hrs Raleigh to Charlotte in 2 hrs – 2 hrs 50 min

Note: actual times will vary depending on final routing, stops, actual dwell time at the listed end points and equipment.

6. How much will a ticket cost?

Initial studies indicate tickets will cost about 20-22 cents a mile (based on calculated demand for the service). This compares to air travel at 22-75 cents a mile and auto travel at 35-48 cents a mile.

7. How soon will all this happen?

Implementing SEHSR will be a lengthy process. Detailed cost estimates, environmental clearances, construction permits, equipment selection and manufacture, ordering of materials, and actual reconstruction of the rail lines must take place before high speed trains can operate in the Southeast. North Carolina and Virginia are working hard to secure federal funds that will be key to project implementation. Based on available funding, the project could be implemented by 2012.

8. Is this a waste of taxpayer's money?

Hardly. The US Department of Transportation in reviewing the high speed rail plans for 23 states, came to the conclusion that the SEHSR will produce more revenue than any other proposed corridor. It is estimated that it will generate \$2.54 in public benefits for each dollar spent to build and operate the corridor, and SEHSR is the only proposed corridor projected to cover its total operational costs from the fare box.

9. How fast will SEHSR trains go through my town?

The rail line is being engineered for a maximum speed of 110 mph. There will, however, be many areas where such speeds will not be possible, especially in congested areas, near station stops, etc. Built up areas will receive security fencing and landscaping as appropriate to maximize public safety and minimize the rail line's intrusion to the community. The average speed is anticipated to be 85-87 mph (Isn't the average speed in this section actually higher?). Current passenger service in the corridor has a top speed of 79 mph.

10. Where will SEHSR trains stop?

Between the Charlotte to Raleigh, and the Richmond to Washington, DC portions, SEHSR trains will make essentially the same stops as today's Piedmont and Carolinian although not all trains will make all stops. The current environmental document will propose an additional stop between Petersburg and Raleigh on two of the four round-trip trains. No community with current Amtrak service is expected to lose such service.

11. If the SEHSR trains do not stop in my community, what benefit will there be to me? The construction and operation of the SEHSR will have a positive impact on the economies

of the regions and towns it passes through. In North Carolina alone, it has been estimated the SEHSR will bring \$700 million in new state and local tax revenues, \$10.5 billion in employee wages over 20 years, over 31,400 new one-year construction jobs, more than 800 permanent new railroad operating positions, and nearly 19,000 permanent full-time jobs from businesses which choose to locate or expand in North Carolina because of the SEHSR. It can be reasonably assumed that similarly positive benefits will accrue to Virginia, Georgia, and South Carolina from SEHSR's implementation. Because the lines will carry both passenger and freight, new and/or improved freight access will be an additional benefit experienced along the route, especially for those segments with no currently active freight service. There will also be a decrease in the rate of congestion growth on the major interstate highways which parallel the rail system, benefiting local travelers who use the interstates.

12. Who is doing the planning work?

NCDOT is managing the Environmental Impact Statement for the Richmond to Raleigh segment, overseeing a team of environmental and engineering consultants. It is a joint effort with the Virginia Department of Rail and Public Transportation (VDRPT), and the Federal Railroad Administration.

For more information, contact:

David Foster, NCDOT Rail Div., Rail Environmental Programs Manager, 919-733-7245 x266 Winston Phillips, VDRPT, Rail Passenger Project Engineer, 804-786-3701

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Drew Gallowsy Anthony Tarone Jerry Combs Diana Young-Paiva David B. Foster PE Craig Young Jim Buck Mike Pekarek	Fisheries Field Biologist	National Marine Fisheries Service, NOAA Northeast Region, Habita 904 S. Morris Street	Northeast Region, Habita	904 S. Morris Street	Oxford MD	×	A Federal
Anthony Tarone Anthony Tarone Diana Young-Paiva David B. Foster PE Craig Young Jim Buck Mike Pekarek		Amtrak		30th St Station		×	A Federal
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-	Director	Virginia Department of Rail and Public Transportation	Insportation	P.O. Box 590	Richmond VA	×	B Va State
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Hunter R. Watson			At-Large, Rural	P.O. Box 387	Farmville VA		B Va State
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P.E. P.E.	District Preliminary Engineerin VDOT		Richmond District	PO Box 3402	Colonial H.VA		B Va State
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Mr. George Schanzenbacher		Planning Director	City of Colonial Heights	Planning Department	PO Box 3401	Colonial H VA	×	D Va Local
B. David Canada		City Manager	City of Petersburg		City Hall 135 N. Uni Petersburg VA	Petersburg VA	×	D Va Local
Leonard Muse		Planning Director	City of Petersburg	Planning Department	City Hall, Rm 304 Petersburg VA	Petersburg VA	×	D Va Local
Stephen Mark Strickler		Planning Director	City of Richmond	Planning Department	900 East Broad Street Richmond 'VA	Richmond 'VA	×	D Va Local
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Ms. Joyce French	,.	Executive Director	Southside PDC		P.O. Box 150	South Hill VA	×	D Va Local
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Ms. Dama E. Rice		Councilwoman	City of Petersburg	City Council/Ward 1	135 North Union Stre Petersburg VA	- Petersburg VA		D Va Local
Calvin Jamison		Manager	City of Richmond		900 East B Rm 201	Richmond VA		D Va Local
Mr. Joe Vinsh		Regional Planner	Crater PDC		P.O. Box 1808	Petersburg VA		D Va Local
Guy Scheid		Economic Development Direct	ment Direct Dinwiddie County	Economic Development (P.O. Drawer 70	(P.O. Drawer 70	Dinwiddie VA		D Va Local
W. Kevin Massengill		Assistant County Administrato Dinwiddie County	Dinwiddie County	Economic Development P.O. Drawer 70	P.O. Drawer 70	Dinwiddie VA		D Va Local
Jana Lynott AICP	AICP	Transportation Planner	Northern Virginia Transportation Commission	ssion	4350 N. Fa Suite 720			D Va Local
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Ms. Carol Corker		Regional Planner	Southside PDC		P.O. Box 150	South Hill VA		D Va Local
The I Melissa B. Parrish		Mayor	Town of Alberta	City Council	PO Box 158	Alberta VA		D Va Local
Robert M. Tanner	-	Mayor	Town of La Crosse		P.O. Box 178	La Crosse VA		D Va Local
The Charles Mansfield		Mayor	Town of McKenney	Mayor	P.O. Box 309	McKenney VA		D Va Local
Mr. Jay Westbrook		Vice President fro Public Priva	Public Priva CSX Transportation		500 Water Street	Jacksonvill FL	×	F Other
Mr. Gary Kujala		Director Transportation Projec	ation Projec CSX Transportation		4901 Belfort Road	Jacksonvill FL	×	F Other
Mr. Jeffrey N. Thordahl		Resident VP State Relations	Relations CSX Transportation		1201 Main Suite 1980 Columbia SC	Columbia SC	×	F Other
Mr. Rob Shinn			CSX Transportation		P.O. Box 85629	Richmond VA	×	F Other
Ms. Leslie Grayson		Director	Virginia Outdoors Foundation	Northern Virginia Office P.O. Box 322	P.O. Box 322	Aldie	×	F Other
Ms Cheryl J Clark		1/4 Operations & TSO Mar	CP		5156 Francistown Rd Glan Allan 1/4	Gian Allan VA		1040

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For more information, contact: David B. Foster, NCDOT Rail Division, Rail Environmental Programs Manager, 919.733.7245 ext.266 Winston D. Phillips, VDRPT Rail Passenger Project Engineer, 804.786.3701

Richmond, VA to Raleigh, NC-Tier II Environmental Impact Statement SOUTHEAST HIGH SPEED RAIL

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For mare information, contact: David B. Foster, NCDOT Rail Division, Rail Environmental Programs Manager, 919.733.7245 ext.266 Winston D. Phillips, VDRPT Rail Passenger Project Engineer, 804.786.3701



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<u>Agenda</u>

Advisory Committee Meeting Southeast High Speed Rail Corridor Tier II EIS Richmond, VA to Raleigh, NC

Richmond, VA to Raleigh, NC Friday, February 24, 2006 Raleigh, NC 10:00am - 12:00 Noon

1.	Introductions and Welcome	. Pat Simmons, NCDOT Rail
2.	Background and Format for Today	. Da v id Foster, NCDOT Rail
3.	Environmental Approach	. Craig Young, Buck Engineering
4.	Rail Design Approach	. Jason Orthner, NCDOT Rail
5.	Roadway/Structures Approach	. Glenda Gibson, Gibson Engineers
3.	Extension to Richmond & Schedule	. David Foster, NCDOT Rail
7.	Q & A	Project Team
3.	Next Steps/ Closing Remarks	. Pat Simmons. NCDOT Rail

Handout

Overview:

Virginia and North Carolina have been working since the mid 1990's on the portions of the Southeast High Speed Rail Corridor (SEHSR) that pass through their boundaries. SEHSR has been recognized by the Federal Railroad Administration (FRA) as having the most revenue potential of the five nationally designated original high speed rail corridors. This north/south corridor would connect in Washington, DC to the northeast corridor that connects New York and Boston.

Because these are shared corridors, any implementation of high speed passenger rail service must also facilitate freight movement and other existing and proposed uses of the corridors (such as commuter rail).

In October of 2002 the states completed a Tier I Environmental Impact Statement that identified the preferred study corridor for SEHSR through both states.

The primary motivation for the proposed rail service is captured by the following key statements from the Purpose and Need sections of the Tier I DEIS (SEHSR, Washington, DC to Charlotte, NC; August 2001):

Preferred SEHSR Corridor (Washington, DC to Charlotte, NC) as Identified in Tier I EIS



- Provide the traveling public –
 particularly special populations
 such as the elderly and the
 disabled with improved
 transportation choices;
- Help ease existing and future congestion (air, highway, passenger rail) within the corridor;
- Improve safety and energy effectiveness within the transportation network;
- Reduce the overall air quality related emissions per passenger mile traveled within the corridor; and
- Improve overall transportation system efficiency within the corridor, with a minimum of environmental impact.

Since May of 2003, the states have been developing a Tier II EIS (detailed study) for the Petersburg, VA to Raleigh, NC section of the SEHSR corridor. In December of 2005, FRA requested that the states extend the Tier II document to include the Petersburg to Richmond (at Main Street Station) portion of the corridor. This extension will evaluate different options for passing through Petersburg and will take into consideration connections to the Norfolk/Hampton Roads area. The project corridor is now approximately 168 miles from Richmond, VA to Raleigh, NC.

Attached are maps of:

- Extended Study Area, Petersburg to Richmond, VA
- Total Project Corridor for Tier II EIS, Richmond, VA to Raleigh, NC
- The Richmond to Hampton Roads study area (being done separately by VDRPT)

Projected Milestones:

February, 2006- Agency scoping meetings and Advisory Committee meetings

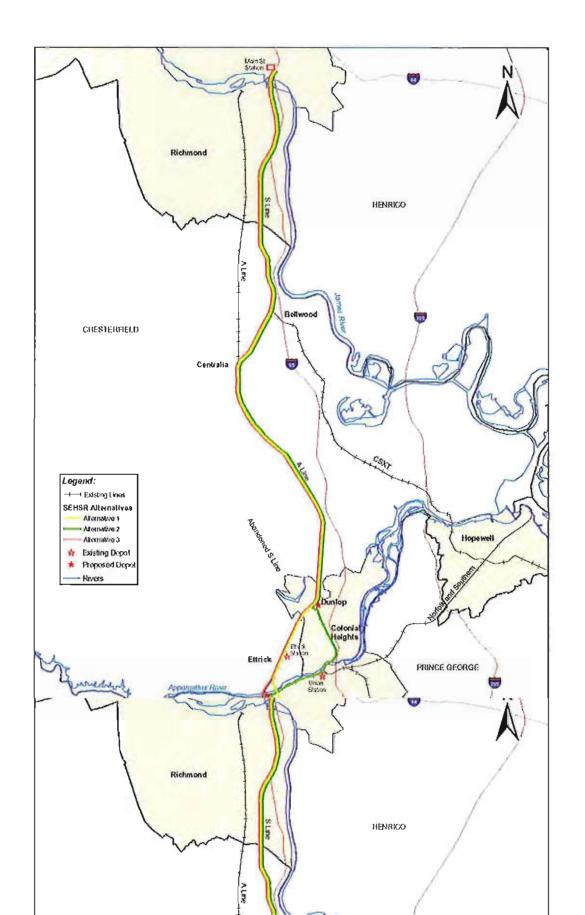
March, 2006- Public workshops in Petersburg and Richmond

May, 2007- Impact matrix complete, Advisory Committee will meet to discuss findings

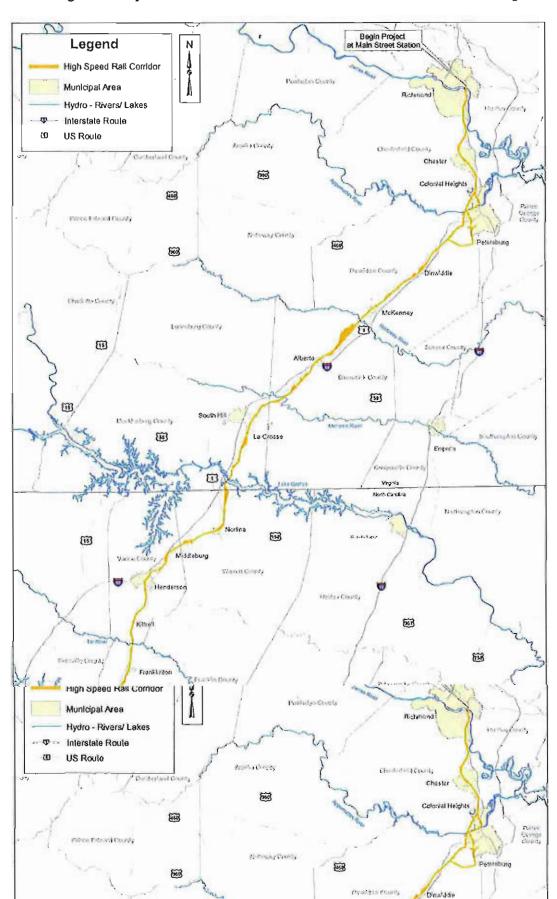
Oct, 2007- DEIS completed and signed

April, 2008- Public Hearings for the DEIS in VA and NC

Aug, 2008- FEIS completed and signed Dec, 2008- Record of Decision from FRA



Full Length of Project Corridor for SEHSR Tier II EIS- Richmond to Raleigh



Richmond /Hampton Roads Rail Passenger Study

(Being done as a separate study by VDRPT)



Frequently Asked Questions

1. What is the Southeast High Speed Rail Corridor?

The Southeast High Speed Rail Corridor (SEHSR) is one of five originally proposed high speed passenger rail corridors designated by the US Department of Transportation (USDOT) in 1992. The corridor was designated as running from Washington, DC through Richmond, VA and Raleigh, NC to Charlotte, NC with maximum speeds of 110 mph. It is part of an overall plan to extend service from the existing high speed rail on the Northeast Corridor (Boston to Washington) to points in the Southeast.

The USDOT in 1996, extended SEHSR to Hampton Roads, VA. In 1998, the USDOT created two more extensions: 1) from Charlotte through Spartanburg and Greenville, SC to Atlanta, GA and on through Macon, GA to Jacksonville, FL, and 2) from Raleigh through Columbia, SC and Savannah, GA to Jacksonville, FL and from Atlanta to Birmingham, AL.

2. Why is SEHSR needed?

The highways of the region and the airports along the Eastern seaboard simply cannot handle the present traffic volumes, let alone accommodate future travel needs. An affordable, modern, timely alternative to driving crowded interstates or flying short distances is required.

3. What is the current status of SEHSR?

Initial environmental studies and public hearings were completed in Fall 2001. This effort examined the need for the project and looked at potential impacts on both natural and man made environments along nine possible routes.

A recommendation report was completed in early 2002, indicating the route with the best potential for high-speed rail service and the fewest environmental impacts would run from Richmond, through South Hill, VA to Norlina, Raleigh, Greensboro and Charlotte, NC. The route follows a combination of existing railroads and preserved rail corridors. Strong potential ridership, along with tremendous public and business support, led to the inclusion of a connection to Winston-Salem, as well.

The Federal Railroad Administration and the Federal Highway Administration issued a Record of Decision on the initial environmental studies in 2002, confirming and approving the route for the SEHSR. The project is currently in the second environmental study phase that includes more specific analysis along the preferred route between Richmond, VA and Raleigh, NC. This environmental study should be completed by the end of 2008.

4. How much will it cost to build the SEHSR?

Reconstructing and upgrading the existing rail lines between Washington and Charlotte is estimated to cost \$2.6 billion, or about one-third less per mile than similar interstate highway projects. Construction costs for SEHSR segments in South Carolina and Georgia have not yet been determined.

5. How much time will I save?

Proposed high speed rail trip times (approximate) include: Washington, DC to Charlotte – 6hrs 10 min. – 6hrs 50 min. Washington to Richmond in 1hr 55 min –2 hrs (to Main Street Station) Richmond to Raleigh in 1hr. 55 min – 2 hrs Raleigh to Charlotte in 2 hrs – 2 hrs 50 min

Note: actual times will vary depending on final routing, stops, actual dwell time at the listed end points and equipment.

6. How much will a ticket cost?

Initial studies indicate tickets will cost about 20-22 cents a mile (based on calculated demand for the service). This compares to air travel at 22-75 cents a mile and auto travel at 35-48 cents a mile.

7. How soon will all this happen?

Implementing SEHSR will be a lengthy process. Detailed cost estimates, environmental clearances, construction permits, equipment selection and manufacture, ordering of materials, and actual reconstruction of the rail lines must take place before high speed trains can operate in the Southeast. North Carolina and Virginia are working hard to secure federal funds that will be key to project implementation. Based on available funding, the project could be implemented by 2012.

8. Is this a waste of taxpayer's money?

Hardly. The US Department of Transportation in reviewing the high speed rail plans for 23 states, came to the conclusion that the SEHSR will produce more revenue than any other proposed corridor. It is estimated that it will generate \$2.54 in public benefits for each dollar spent to build and operate the corridor, and SEHSR is the only proposed corridor projected to cover its total operational costs from the fare box.

9. How fast will SEHSR trains go through my town?

The rail line is being engineered for a maximum speed of 110 mph. There will, however, be many areas where such speeds will not be possible, especially in congested areas, near station stops, etc. Built up areas will receive security fencing and landscaping as appropriate to maximize public safety and minimize the rail line's intrusion to the community. The average speed is anticipated to be 85-87 mph (Isn't the average speed in this section actually higher?). Current passenger service in the corridor has a top speed of 79 mph.

10. Where will SEHSR trains stop?

Between the Charlotte to Raleigh, and the Richmond to Washington, DC portions, SEHSR trains will make essentially the same stops as today's Piedmont and Carolinian although not all trains will make all stops. The current environmental document will propose an additional stop between Petersburg and Raleigh on two of the four round-trip trains. No community with current Amtrak service is expected to lose such service.

11. If the SEHSR trains do not stop in my community, what benefit will there be to me? The construction and operation of the SEHSR will have a positive impact on the economies

of the regions and towns it passes through. In North Carolina alone, it has been estimated the SEHSR will bring \$700 million in new state and local tax revenues, \$10.5 billion in employee wages over 20 years, over 31,400 new one-year construction jobs, more than 800 permanent new railroad operating positions, and nearly 19,000 permanent full-time jobs from businesses which choose to locate or expand in North Carolina because of the SEHSR. It can be reasonably assumed that similarly positive benefits will accrue to Virginia, Georgia, and South Carolina from SEHSR's implementation. Because the lines will carry both passenger and freight, new and/or improved freight access will be an additional benefit experienced along the route, especially for those segments with no currently active freight service. There will also be a decrease in the rate of congestion growth on the major interstate highways which parallel the rail system, benefiting local travelers who use the interstates.

12. Who is doing the planning work?

NCDOT is managing the Environmental Impact Statement for the Richmond to Raleigh segment, overseeing a team of environmental and engineering consultants. It is a joint effort with the Virginia Department of Rail and Public Transportation (VDRPT), and the Federal Railroad Administration.

For more information, contact:

David Foster, NCDOT Rail Div., Rail Environmental Programs Manager, 919-733-7245 x266 Winston Phillips, VDRPT, Rail Passenger Project Engineer, 804-786-3701

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Richmond, VA to Raleigh, NC-Tier II Environmental Impact Statement SOUTHEAST HIGH SPEED RAIL

www.sehsr.org

Sheet 1 of 4

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Name	Organization or Address	Phone #	Email Address
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Patrick Young	Franklin County (Planning Onecha)	917. 27496 - 2909	py ang @ co. Franklin. neus
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Janah Smith	NCDOT-TPB	919-733-4705	Sarohsmith @ dot.state.nc.us
Pat Strong	13.000	20hb-855-816	25 Jane 3 + Cas ave
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Sheet X of 4

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A3. Agency Responses



Commander United States Coast Guard Fifth Coast Guard District 431 Crawford Street
Portsmouth, Va. 23704-5004
Staff Symbol: Oan-b
Phone: (757) 398-6227
Fax: (757) 398-6334
Email: LBonenberger@LANTD5.USCG.mil

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RECEIVED

Mr. David B. Foster, P.E. North Carolina Department of Transportation Rail Division 1553 Mail Service Center Raleigh, North Carolina 27699-1553

JUN 09 2003

NC Dot Rail Div

Dear Mr. Foster:

This is in response to your letter dated May 19, 2003, regarding the Southeast High Speed Rail Corridor project from Petersburg, Virginia, to Raleigh, North Carolina.

The vicinity map provided with your letter shows this project crossing the following: Nottaway River, Meherrin River, and Lake Gaston in Virginia; the Tar River and Falls Lake in North Carolina.

Coast Guard bridge permits will be required for the crossing of the Meherrin River and Lake Gaston due to both of these waterways being susceptible for use by interstate commerce. As a cooperating agency, we request our participation during the development of the environmental document. In order to make a determination whether a permit will be required for the crossing of the Nottaway River, please provide us with the tidal influence of this river at the site of the proposed project.

Since the Tar River and Falls Lake in North Carolina are not subject to tidal influence, they are considered legally non-navigable for Bridge Administration purposes. Also, the Tar River and Falls Lake are not susceptible for use by interstate commerce and they meet the criteria set forth in Section 107 of the Coast Guard Authorization Act of 1982. This section of the Act exempts such waterways from Coast Guard bridge permit requirements; therefore, permits will not be required for these waterways.

The fact that a Coast Guard permit is not required for the Tar River and Falls Lake does not relieve you of the responsibility for compliance with the requirements of any other Federal, State or local agency who may have jurisdiction over any aspect of the project.

If you should have any questions regarding this matter, please contact, Mrs. Linda Bonenberger, Bridge Management Specialist, at the above listed address or phone number.

Sincerely,

WAVERLY W. GRÉGOR

Chief, Bridge Administration Section

By direction of the Commander

Fifth Coast Guard District

United States Department of the Interior



Ecological Services 6669 Short Lane Gloucester, VA 23061

June 18, 2003

Mr. David B. Foster

Rail Environmental Programs Manager North Carolina Department of Transportation Rail Division 1553 Mail Service Center Raleigh, NC 27699-1553

Re:

Southeast High Speed Rail

Dear Mr. Foster:

The U.S. Fish and Wildlife Service, Virginia Field Office (Service) has reviewed your letter dated May 19, 2003 regarding the Tier II Environmental Impact Statement, Southeast High Speed Rail Corridor from Petersburg, Virginia to Raleigh, North Carolina. The North Carolina Department of Transportation and the Virginia Department of Rail and Public Transportation (VDRPT) have begun studying a proposed 138-mile portion of the project. This letter constitutes the preliminary comments of the Service and the Department of the Interior on the proposed project and is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.), the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), and the National Environmental Policy Act of 1969 (42 USC, subsections 4321-4370a), as amended.

As you are aware, this office provided scoping comments on this project in our letter dated January 9, 2001. We have no additional comments at this time. We look forward to continued coordination with FHWA, the VDRPT, and the North Carolina Department of Transportation Rail Division.

Regarding cooperating agency status for the Service, we would like to serve as a cooperating agency for preparation of the environmental document. Depending on personnel constraints, we will participate to the maximum extent possible.

As you may be aware, the Service maintains Ecological Services Field Offices in both Virginia and North Carolina. In the future, comments from the Service will be provided in one letter and will contain the comments of both offices.

If this project may involve publicly-owned park property, the Service recommends that you contact the National Park Service at the following address to inform them of this project:

Field Director National Park Service 143 South Third Street Philadelphia, PA 19106

The Service appreciates your early coordination of this project with us. If you have questions, please contact William Hester at (804) 693-6694, ext. 134.

Sincerely,

Karen L. Mayne

Supervisor

Virginia Field Office

flew J. Mayne

cc: VDRPT, Richmond, VA

VDOT Headquarters, Richmond, VA (Steve Long)

FHWA, Richmond, VA (Ed Sundra)

DEPARTMENT OF THE ARMY

NORFOLK DISTRICT, CORPS OF ENGINEERS FORT NORFOLK, 803 FRONT STREET NORFOLK, VIRGINIA 23510-1096

June 27, 2003

REPLY TO ATTENTION OF:

Eastern Virginia Regulatory Section 03-1183-15

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NC Dot Rail Div

Mr. David B. Foster, PE
Rail Environmental Programs Manager
Environment and Planning Branch
North Carolina Department of Transportation
Rail Division
1553 Mail Service Center
Raleigh, North Carolina 27699-1553

Dear Mr. Foster:

This is in reference to the Tier II Environmental Impact Statement (EIS) being prepared by the Federal Highway Administration, Federal Rail Administration, the North Carolina Department of Transportation Rail Division, and the Virginia Department of Rail and Public Transportation for a 138-mile portion of the Southeast High Speed Rail Corridor from Petersburg, Virginia to Raleigh, North Carolina. The Norfolk District of the Corps of Engineers is a cooperating agency for the development of documents for this project, and we provided comments for the Tier I Draft and Final EIS.

We were unable to send a representative to the agency scoping meeting in Richmond on June 17. We would appreciate notification of future agency meetings as the EIS develops and will attend if possible and provide comments. Since it is early in the EIS process, we have only some general comments. Existing rail corridors should be used as much as possible for the project, in order to minimize impacts to all environmental factors. Avoidance of impacts to the aquatic environment, including wetlands, should be an important consideration as alternatives are developed. As noted in our August 2002 letter, measures to avoid and minimize impacts to streams and wetlands, such as bridging, should be incorporated wherever practicable as the project moves forward. Relocation of streams should be avoided. Conceptual options for compensating for unavoidable impacts to wetlands and other aquatic resources should be presented in the Draft EIS, and efforts to identify potential compensation sites should be conducted as the alternatives are developed.

Thank you for the opportunity to comment. Should you have any questions, please contact Alice Allen-Grimes at (757) 441-7219.

Sincerely,

Nicholas L. Konchuba Chief, Eastern Virginia Regulatory Section

Copies Furnished:

Federal Highway Administration, Richmond
U. S. Fish and Wildlife Service, White Marsh
Environmental Protection Agency, Reston
National Marine Fisheries Service, Oxford
Virginia Department of Rail and Public Transportation, Richmond



COMMONWEALTH of VIRGINIA

Department of Historic Resources

W. Tayloe Murphy, Jr. Secretary of Natural Resources 2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick Director

Tel: (804) 367-2323 Fax: (804) 367-2391 TDD: (804) 367-2386 www.dhr.state.va.us

June 8, 2003

Mr. David B. Foster North Carolina Department of Transportation Rail Division 1553 Mail Service Center Raleigh, North Carolina 27699-1553

RE: Southeast High Speed Rail

Tier II Environmental Impact Statement Petersburg, Virginia to Raleigh, North Carolina

NCDOT Project No. 9.9083002 NCTIP Project No. P-3819 VDHR File No. 2001-1460 RECEIVED

JUN 1 2 2003

NC Dot Rail Div

Dear Mr. Foster:

We have received your letter dated May 19, 2003, regarding the scoping meeting for the Tier II Environmental Impact Statement for the above referenced project. In an August 7, 2003, correspondence the Virginia Department of Historic Resources (DHR) informed the Virginia Department of Environmental Quality that the proposed undertaking has the potential to affect historic and archaeological resources in the Commonwealth listed in and eligible for the National Register of Historic Places. In that letter DHR also recommended the execution of a Programmatic Agreement in accordance with 36 CFR 800.14(b) in order to establish procedures for addressing cultural resource issues. We still recommend this approach.

Due to recent budget and staff cuts, DHR may not be able to send a representative to the scheduled June 17 2003, scoping meeting. However, NCDOT, the Virginia Department of Rail and Public Transportation (VDRPT), and the Federal Railroad Administration (FRA) should not interpret the absence of a DHR representative at the meeting as a lack of interest or concern of our office regarding the potential of this undertaking to impact significant historic, architectural, and archaeological resources important to the history of the

Page 2 June 8, 2003 Mr. David B. Foster

Commonwealth and the nation. Please continue to consult closely with DHR concerning this project.

If you have any questions about our comments, please contact me at (804) 367-2323, Ext. 114.

Sincerely,

Marc Holma, Architectural Historian Office of Review and Compliance

cc: Honorable Allan Rutter, Administrator, FRA Honorable Karen J. Rae, Director, VDRPT W. Tayloe Murphy, Jr. Secretary of Natural Resources



COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
TDD (804) 786-2121
23 June 2003

RECEIVED

JUN 2 6 2003

NC Dot Rail Div

Mr. David B. Foster, P. E, Rail Environmental Programs Manager North Carolina Department of Transportation 1553 Mail Service Center Raleigh, North Carolina 27699-1553

Re:

Scoping Letter for Tier II Environmental Impact Statement, Southeast High Speed Rail Corridor from Petersburg, Virginia (Collier Yard) to Raleigh, North Carolina (Boylan Wye), NCDOT State Project 9.9083002, NCTIP Project No. P-3819

Dear Mr. Foster:

The Department of Conservation and Recreation (DCR) has searched its Biological and Conservation Data System (BCD) for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

BCD documents the presence of natural heritage resources in the project vicinity. However, due to the scope of the activity and the distance to the resources, we do not anticipate that this project will adversely impact these natural heritage resources.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks other natural heritage resources. New and updated information is continually added to BCD. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

Railroad companies that undertake land-disturbing activities of 10,000 square feet or more for construction of the tracks, right-of-way, bridges, communication facilities, and other related

An Agency of the Natural Resources Secretariat

structures and facilities must file general erosion and sediment control (ESC) specifications annually with DCR's Division of Soil & Water Conservation (DCR-DSWC) for review and approval in accordance with Section 10.1-563D of the Virginia Erosion and Sediment Control Law (VESCL).

All regulated activities must comply with the ESC specifications, whether work is undertaken on company property or an easement or right-of way owned by another party. Note that the repair or rebuilding of facilities of railroad companies are exempt from ESC requirements. ESC specifications should include, at a minimum, a description of all ESC measures and policies that will be implemented on site to ensure compliance with the state program. Standard practices (general narrative and plan sheets with appropriate details, symbols, etc.) must be provided that meet the requirements of the 19 Minimum Standards (MS) in Section 4VAC50-30-40 of the Virginia Erosion and Sediment Control Regulations (VESCR) that apply to company activities. Practices in the most current edition of the Virginia Erosion & Sediment Control Handbook must serve as minimum design criteria. Variances requests must be submitted for approval on a project-specific basis to ensure that site-specific characteristics (soils, topography, adjacent areas) are fully considered.

Company-specific specifications that cover all planned regulated activities for the calendar year of construction <u>must be approved by DCR-DSWC prior to project initiation</u>. Inquiries and questions regarding ESC specifications should be directed to Larry Gavan, Urban Program Manager in DCR's Central Office, at (804) 786-4508. [Reference: VESCL§10.1563.D; VESCR §4VAC50_30_30, §4VAC50_30_40]

For your records, the proposed project is not anticipated to have any adverse impacts on existing or planned state recreational facilities. Nor will it impact on any streams on the National Park Service Nationwide Inventory, Final List of Rivers, potential Scenic Rivers or existing or potential State Scenic Byways. We recommend that the project sponsors contact the Parks & Recreations directors of the Virginia localities through which this project is planned to determine impacts to potential or existing local recreation facilities.

Thank you for the opportunity to comment on this project.

Sincerely,

Derral Jones

Planning Bureau Manager

cc: Kim Marbain, USFWS Ray Fernald, VDGIF

Literature Cited

Burkhead, N.M. and R.E. Jenkins. 1991. Roanoke logperch. In Virginia's Endangered Species: Proceedings of a Symposium. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia. p. 395-397.

Johnson, R.I. 1970. The systematics and zoogeography of the Unionidae (Mullusca: Bilvava) of the southern Atlantic slope region. Bulletin Museum of Comparative Zoology vol 140(6): 362-365.

The Nature Conservancy. 1996. Biological and Conservation Data System. Arlington, Virginia, USA.

Williams, J.D., M.L. Warren, Jr., K.S. Cummings, J.L. Harris, and R.J. Neves. 1993. Conservation status of freshwater mussels of the United States and Canada. Fisheries 18: 6-9.

Definition of Abbreviations Used on Natural Heritage Resource Lists of the Virginia Department of Conservation and Recreation

Natural Heritage Ranks
The following ranks are used by the Virginia Department of Conservation and Recreation to set protection priorities for natural heritage resources. Natural Heritage Resources, or "NHR's," are rare plant and animal species, rare and exemplary natural communities, and significant geologic features. The primary criterion for ranking NHR's is the number of populations or occurrences, i.e. the number of known distinct localities. Also of great importance is the number of individuals in existence at each locality or, if a highly mobile organism (e.g., sea turtles, many birds, and butterflies), the total number of individuals. Other considerations may include the quality of the occurrences, the number of protected occurrences, and threats. However, the emphasis remains on the number of populations or occurrences such that ranks will be an index of known biological rarity.

- Extremely rare; usually 5 or fewer populations or occurrences in the state; or may be a few remaining individuals; often especially vulnerable to extirpation. S1
- **S2** Very rare; usually between 5 and 20 populations or occurrences; or with many individuals in fewer occurrences; often susceptible to becoming extirpated.
- Rare to uncommon; usually between 20 and 100 populations or occurrences; may have fewer occurrences, but with a large number of individuals in some populations; may be susceptible to large-scale disturbances. **S3**
- Common; usually >100 populations or occurrences, but may be fewer with many large populations; may be restricted to only a portion the state; usually not susceptible to immediate threats.
- **S5** Very common; demonstrably secure under present conditions.
- SA Accidental in the state.
- S#R Breeding status of an organism within the state.
- Historically known from the state, but not verified for an extended period, usually > 15 years; this rank is used primarily when SH inventory has been attempted recently.
- S#N Non-breeding status within the state. Usually applied to winter resident species.
- \mathbf{SU} Status uncertain, often because of low search effort or cryptic nature of the element.
- SXApparently extirpated from the state.
- SZLong distance migrant whose occurrences during migration are too irregular, transitory and/or dispersed to be reliably identified, mapped and protected.

Global ranks are similar, but refer to a species' rarity throughout its total range. Global ranks are denoted with a "G" followed by a character. Note that GA and GN are not used and GX means apparently extinct. A "Q" in a rank indicates that a taxonomic question concerning that species exists. Ranks for subspecies are denoted with a "T". The global and state ranks combined (e.g. G2/S1) give an instant grasp of a species' known

These ranks should not be interpreted as legal designations.

Federal Legal Status

The Division of Natural Heritage uses the standard abbreviations for Federal endangerment developed by the U.S. Fish and Wildlife Service, Division of Endangered Species and Habitat Conservation.

- Listed Endangered threatened with extinction throughout all or a significant portion of its range Listed Threatened likely to become endangered in the foreseeable future Proposed Endangered

 E(S/A)

 Treat as endangered LT PE PT
- Treat as endangered because of similarity of appearance Treat as threatened because of similarity of appearance Proposed Threatened
- Candidate enough information is available to propose for listing, but listing is precluded by other pending proposals of higher

priority SOC

Species of Concern -- species that merit special concern (not a regulatory category)

No federal legal status

State Legal Status
The Division of Natural Heritage uses similar abbreviations for State endangerment.

isted Endangered

Proposed Endangered Proposed Threatened Listed Threatened

LT C SC NS Candidate Special Concern -- animals that merit special concern according to VDGIF (not a regulatory category)

No state legal status

Conservation Site Ranks

A rank is a rating of the significance of the conservation site based on presence and number of natural heritage resources; on a scale of 1-5, 1 being most significant:

- B1 Outstanding significance B2 Very high significance B3 High significance B4 Moderate significance B5 of General Biodiversity significance

Site names ending in Habitat Zone are B5 sites on private lands.

For information on the laws pertaining to threatened or endangered species, contact: U.S. Fish and Wildlife Service for all FEDERALLY listed species

Department of Agriculture and Consumer Services Plant Protection Bureau for STATE listed plants and insects; Department of Game and Inland Fisheries for all other STATE listed animals



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

W. Tayloe Murphy, Jr. Secretary of Natural Resources Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 10009, Richmond, Virginia 23240

Fax (804) 698-4500 TDD (804) 698-4021

www.deq.state.va.us

Robert G. Burnley Director (804) 698-4000 1-800-592-5482

June 24, 2003

Mr. David B. Foster, P.E. NC Department of Transportation Rail Division 1553 Mail Service Center Raleigh, NC 27699-1553

RE:

Southeast High Speed Rail Corridor

Petersburg, Virginia (Collier Yard) to Raleigh, North Carolina (Boylan Wye)

NCDOT Project Number: 9.9083002

Dear Mr. Foster:

I have reviewed the study area for the Southeast High Speed Rail Corridor from Petersburg to the Virginia state line.

As indicated on the USGS topographic maps and the National Wetlands Inventory maps, numerous wetlands and waterways are located within the current study area. Once a final alignment is designed and proposed, an onsite survey should be conducted to determine the absence or location, extent, and type of wetlands or water bodies present. A VWP permit may be required for impacts to State waters. We encourage the project proponents to avoid and minimize surface water impacts to the greatest extent practicable.

We appreciate the opportunity to comment on this project. If we can be of any further assistance, please feel free to contact me at (804) 698-4170 or sebegg@deq.state.va.us.

Sincerely,

Steven E. Begg

Environmental Specialist

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JUN 2 7 2003

cc:

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MIR

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Charles R. Fullwood, Executive Director

RECEIVED

MEMORANDUM

JUL 4 3 2003

TO:

David B. Foster, P.E.

NC Dot Rail Div

North Carolina Department of Transportation Rail Environmental Programs Manager

FROM:

Travis W. Wilson, Highway Project Coordinator

Habitat Conservation Program

DATE:

June 27, 2003

SUBJECT:

Request for information from the N. C. Department of Transportation

(NCDOT) regarding fish and wildlife concerns for the proposed Southeast

High Speed Rail Corridor from Petersburg, Virginia (Colier Yard) to

Raleigh, North Carolina (Boylan Wye) TIP No. P-3819.

This memorandum responds to a request from the NCDOT for our concerns regarding impacts on fish and wildlife resources resulting from the subject project. Biologists on the staff of the N. C. Wildlife Resources Commission (NCWRC) have reviewed the proposed improvements. Our comments are provided in accordance with certain provisions of the National Environmental Policy Act (42 U.S.C. 4332(2)(c)) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d).

We have no specific concerns regarding this project. However, to help facilitate document preparation and the review process, our general informational needs are outlined below:

1. Description of fishery and wildlife resources within the project area, including a listing of federally or state designated threatened, endangered, or special concern species. Potential borrow areas to be used for project construction should be included in the inventories. A listing of designated plant species can be developed through consultation with:

The Natural Heritage Program N. C. Division of Parks and Recreation 1615 Mail Service Center Raleigh, N. C. 27699-1615 (919) 733-7795

and.

NCDA Plant Conservation Program P. O. Box 27647 Raleigh, N. C. 27611 (919) 733-3610

- 2. Description of any streams or wetlands affected by the project. The need for channelizing or relocating portions of streams crossed and the extent of such activities.
- 3. Cover type maps showing wetland acreages impacted by the project. Wetland acreages should include all project-related areas that may undergo hydrologic change as a result of ditching, other drainage, or filling for project construction. Wetland identification may be accomplished through coordination with the U. S. Army Corps of Engineers (COE). If the COE is not consulted, the person delineating wetlands should be identified and criteria listed.
- 4. Cover type maps showing acreages of upland wildlife habitat impacted by the proposed project. Potential borrow sites should be included.
- 5. The extent to which the project will result in loss, degradation, or fragmentation of wildlife habitat (wetlands or uplands).
- 6. Mitigation for avoiding, minimizing or compensating for direct and indirect degradation in habitat quality as well as quantitative losses.
- 7. A cumulative impact assessment section which analyzes the environmental effects of the new infrastructure and quantifies the contribution of this individual project to environmental degradation.
- 8. A discussion of the probable impacts on natural resources which will result from secondary development facilitated by the improved access.
- 9. If construction of this facility is to be coordinated with other state, municipal, or private development projects, a description of these projects should be included in the environmental document, and all project sponsors should be identified.

Thank you for the opportunity to provide input in the early planning stages for this project. If we can further assist your office, please contact me at (919) 528-9886.

cc: USFWS, Raleigh



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FEB 1 4 2006

NC Dot Ran Div

COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

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David K. Paylor Director

(804) 698-4000 1-800-592-5482

February 7, 2006

Mr. John Winkle Project Manager Federal Railroad Administration MS 20 400 7th Street, S.W. Washington, D.C. 20590

RE: Notice of Intent to Prepare an Environmental Impact Statement for Rail Corridor,

Richmond, Virginia to Raleigh, North Carolina: Extension of Study Area to

Richmond

Dear Mr. Winkle:

Preston Bryant

Secretary of Natural Resources

This is in response to your <u>Federal Register</u> notice advising the public of a revision to the northern terminus of the project to be studied in the Tier II Environmental Impact Statement (EIS) for the Southeast High-Speed Rail Corridor in Virginia and North Carolina (<u>Federal Register</u>, Volume 71, Number 23, dated February 3, 2006, page 5903, hereinafter "Notice"). As the Notice indicates, the northern project terminus is to be changed from Collier Rail Yard in Petersburg, Virginia to the Main Street Station in Richmond.

Virginia state agencies have been involved in previous reviews for the Southeast High-Speed Rail Corridor, including those for the Tier I Draft EIS (DEQ-01-190F, comments mailed to David Foster, North Carolina Department of Transportation, Rail Division on November 26, 2001) and the Tier I Final EIS (DEQ-02-141F, comments mailed to the same recipient on August 27, 2002). We are interested in the Tier II EIS process as well, and would like to be included in the review of the Tier II EIS when it is published.

The roles of the Virginia Department of Environmental Quality (DEQ) in relation to the project under consideration are as follows. First, DEQ's Office of Environmental Impact Review (this Office) will coordinate Virginia's review of the EIS and comment to the Federal Railroad Administration and its cooperating agencies on behalf of the Commonwealth. A similar review process will pertain to the federal consistency determination that must be provided pursuant to the Coastal Zone Management Act (CZMA), since the rail path from Richmond to Petersburg lies in jurisdictions that are part of Virginia's coastal zone and subject to its Coastal Resources Management Program.

Environmental Review and Scoping

We are sharing the Notice with selected state and local Virginia agencies, which are likely to include the following (note: starred (*) agencies administer one or more of the Enforceable Policies of the Virginia Coastal Resources Management Program; see "Federal Consistency...," below):

Department of Environmental Quality:

Office of Environmental Impact Review

Piedmont Regional Office*

Air Division*

Waste Division

Division of Water Quality*

Department of Rail and Public Transportation

Department of Agriculture and Consumer Services

Department of Game and Inland Fisheries*

Department of Conservation and Recreation:

Division of Chesapeake Bay Local Assistance*

Division of Soil and Water Conservation*

Division of Planning and Recreation Resources

Marine Resources Commission*

Department of Historic Resources

Department of Transportation

Richmond Regional Planning District Commission

Crater Planning District Commission

Southside Planning District Commission

City of Richmond

City of Petersburg

Chesterfield County

Dinwiddie County

Brunswick County

Lunenburg County.

In order to ensure an effective coordinated review of the Environmental Impact Statement and the consistency determination, we will require 24 copies of the document when it is published; or the Federal Railroad Administration may send it separately to the agencies and entities listed (see the list of copy recipients, below, for names). While this Office does not participate in scoping efforts beyond the advice given here, other agencies are free to provide scoping comments concerning the preparation of the Tier II EIS.

Federal Consistency under the Coastal Zone Management Act

Pursuant to the Coastal Zone Management Act of 1972, as amended, federal activities affecting Virginia's coastal resources or coastal uses must be consistent, to the maximum extent practicable, with the Virginia Coastal Resources Management Program (VCP) (see section 307(c)(1) of the Act and the Federal Consistency Regulations,

15 CFR Part 930, sub-part C). The Federal Railroad Administration must provide a consistency determination which involves an analysis of the proposed activities in light of the Enforceable Policies of the VCP (first enclosure), and a commitment to comply with the Enforceable Policies. In addition, we invite your attention to the Advisory Policies of the VCP (second enclosure). The federal consistency determination may be provided as part of the EIS or independently, depending on your agency's preference. In the interests of efficiency for all concerned, we recommend that the determination be provided with the NEPA document and that 60 days be allowed for review in keeping with the Federal Consistency Regulations (see section 930.41(a)). Section 930.39 of the Federal Consistency Regulations and Virginia's Federal Consistency Information Package (see below) give content requirements for the consistency determination.

The <u>Federal Consistency Information Package</u> is available on DEQ's web site, http://www.deq.state.va.us. Select "Programs" on the left, then scroll to "Environmental Impact Review/Federal consistency" and select this heading. Select "federal consistency reviews" on the left. This gives you access to the document.

If you have questions about the environmental review process or the federal consistency review process, please feel free to call me (telephone (804) 698-4325) or Charles Ellis of this Office (telephone (804) 698-4488).

I hope this information is helpful to you.

Sincerely,

Ellie L. Irons

Program Manager

Office of Environmental Impact Review

cc: (next page)

Mr. John Winkle Page 4

cc: Alan C. Tobias, DRPT ✓David Foster, N.C. DOT-Rail Div. Susan A. Ridout, DEQ-PRO Kotur S. Narasimhan, DEQ-Air Allen Brockman, DEQ-Waste Catherine M. Harold, DEQ-Water Andrew K. Zadnik, DGIF C. Scott Crafton, DCR Tony Watkinson, MRC Ethel R. Eaton, DHR Alice R. T. Baird, DCR-DCBLA Mary T. Stanley, VDOT-EQD Paul E. Fisher, Richmond Regional PDC Dennis K. Morris, Southside PDC The Honorable L. Douglas Wilder, City of Richmond B. David Canada, City of Petersburg Lane B. Ramsey, Chesterfield County Catherine M. Georgetti, Lunenburg County W. Kevin Massengill, Dinwiddie County Gerald D. Vincent, Brunswick County

Craig Young



L. Preston Bryant, Jr. Secretary of Natural Resources

Joseph H. Maroon Director

COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND RECREATION

203 Governor Street
Richmond, Virginia 23219-2010
(804) 786-6124

March 6, 2006

Watch 0, 2000

Mr. Alan C. Tobias, Rail Passenger Projects Manager
Virginia Department of Rail and Public Transportation
Post Office Box 590
Richmond, Virginia 23218-0590

RECEIVED

MAR 1 6 2006

NC Dot Rail Div

Dear Mr. Tobias:

Department of Conservation and Recreation (DCR) staff recently attended a scoping meeting on the proposed high-speed rail corridor from Raleigh to Richmond. I understand that we are invited to comment on this wonderful opportunity to engineer and design a corridor that not only accommodates high-speed rail but also human-powered transportation. Not only is a trail needed for alternative public transportation as we transition from an oil-based economy, it also helps address chronic health issues brought on by sedentary lifestyles.

Preliminary results of a recent survey of Virginia Planning District Commissions (PDCs) indicate that trails benefit a region most by promoting active living with healthier options for everyday routines. Providing recreation alternatives for all ages, incomes and abilities also ranked as a primary benefit. Homebuyers agree--in a 2002 survey conducted by the National Association of Realtors and the National Association of Home Builders, walking/jogging/bike trails were rated the second-highest community amenity that would seriously influence homebuyers to move to a new neighborhood.

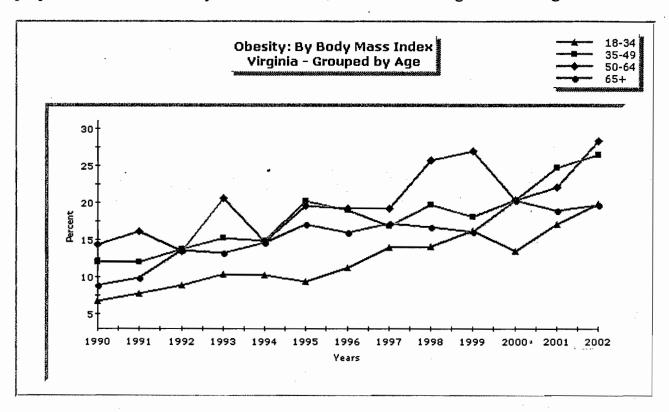
The PDC survey showed that the acquisition of a corridor for a trail system is one of the greatest challenges for trails planners. Respondents felt that the state should focus on providing the major trunkline trails, which then could be connected to residences, businesses and recreational areas by regional and local efforts. The high-speed rail corridor may be the last economically viable way to provide a trunkline, off-road trail system between Richmond and Raleigh.

Other areas of the country have found solutions to the "problematic" issue of trail user safety within a shared corridor, and it is important that the "Public Transportation" mission of the Department of Rails and Public Transportation (DRPT) not be lost for this statewide rails project. For more information on engineering solutions for Rails with Trails, refer to Rails-with-Trails: Lessons Learned prepared in 2002 by the Federal Highway Administration: http://www.fhwa.dot.gov/environment/rectrails/rwt/.

Mr. Alan C. Tobias, Rail Passenger Projects Manager March 6, 2006 Page Two

Current health data indicates that 23% of Virginians (27.1% in the Richmond MSA) are obese, and that this trend continues to grow at an alarming rate. According to the Surgeon General, a 20-minute walk a day is a "best" physical activity and can prevent heart attacks, cancers, diabetes and other conditions that cost the health system billions of dollars (the indirect costs associated with obesity nationwide are estimated at \$117 billion per year by the CDC).

The Conservation Fund notes that Americans are four times as likely to use a local trail than any other exercise infrastructure. This is partly due to the fact that trails are accessible to all age groups and all income and ability levels during all daytime hours, but also due to the fact that people can use them for many different reasons, from bird-watching to commuting to work.



The PDC survey found that one of the biggest problems for trail users is a lack of trails close to residential areas. This lack is compounded by inadequate infrastructure: in suburban areas developed after the age of the automobile, sidewalks are missing or disconnected. A study funded by the Virginia Department of Transportation found that the suburban areas around Richmond had lower levels of service for bicycles and pedestrians than similar suburban areas studied in the Mid-Atlantic region. In a report by the Surface Transportation Policy Project in 2004, Richmond ranked second highest among metro areas with the greatest declines in pedestrian safety. The report also cited that ethnic and racial minorities are disproportionately represented in pedestrian deaths. A safe walking and cycling environment has been particularly important for children, who depend on self-powered mobility more than adults; however, transportation alternatives will be increasingly important for older adults as their health and vision deteriorate.

Mr. Alan C. Tobias, Rail Passenger Projects Manager March 6, 2006 Page Two 3

There are several statewide trail systems underway that could benefit from a trunkline trail alongside the high-speed corridor -- most notably the Tobacco Heritage Trail and the East Coast Greenway. For more information, visit the page on Virginia on the East Coast Greenway Web site: http://www.greenway.org/.

Events of the past year have demonstrated that gasoline prices fluctuate with natural disasters and political events, which in turn can have a devastating affect on the economy. President Bush stated that he would like to see this country free from its dependence on oil by 2025. A combination of approaches is needed for this transformation to happen. Encouraging more self-powered travel by providing trunkline trail infrastructure would help address our dependence on oil and allow our citizens to make healthier choices every day. We ask that you make every possible effort to provide a trail alongside the high-speed rail corridor.

Sincerely.

oseph H. Maroon

Director

cc: David Foster, Rail Environmental Programs Manager

North Carolina Department of Transportation, Rail Division

Shirley R. Williams, Assistant Director for Environment and Planning

North Carolina Department of Transportation, Rail Division

Environmental & Planning Branch

John Davy, Division Director, Planning and Recreation Resources

Virginia Department of Conservation and Recreation

David Patton, Statewide Bicycle and Pedestrian Program Coordinator

Virginia Department of Transportation

Transportation and Mobility Planning Division

Crater Planning District Commission Response to Scoping Letter via email

----Original Message----

From: Joe Vinsh [mailto:jvinsh@cpd.state.va.us] Sent: Wednesday, May 21, 2003 3:04 PM

To: Tobias, Alan

Cc: Guy Scheid; Ron Reekes; Vicki Minetree; John McCracken; Ivan Rucker

Subject: SEHSR Tier II EIS

The CPDC received a request dated May 19, 2003 from NC DOT for an evaluation by June 30, 2003 of potential impacts and benefits for that portion of the proposed SEHSR project from Collier Yard in Petersburg to Boylan Wye in Raleigh. Please forward additional mapping of the Petersburg and Dinwiddle segment of the study corridor alternatives being considered at this time by the project sponsors. The mapping should be of sufficient detail in order to identify alternative project alignments in relation to impacts on existing public and private roads, at-grade rail crossings, stream crossings, existing land use within alternative alignments, adjacent historic resources and land parcels that may be impacted by changes in access resulting from the implementation of this proposed transportation project.

Please advise on the status of the SEHSR project for that portion of the corridor from Collier Yard northward to the City of Richmond.

Also, please advise if federal capital funds would need to be identified in regional Transportation Improvement Programs should the SEHSR project be implemented in the future.

The Crater Planning District Commission and the Tri-Cities Area MPO have been provided with periodic reports on the progress of the SEHSR project. However, these regional planning groups have not taken a position in support or in opposition to the implementation of the SEHSR project. June 18th is the tentative June meeting date scheduled for both regional planning groups. It is possible additional review time will be needed in order to fully develop our comments for the NC DOT request of May 19, 2003.

Thanks for the opportunity to comment on this important transportation project. We wish to continue to cooperate with the SEHSR project and are willing to participate on advisory group(s) formed by the project sponsors for that portion of the SEHSR corridor located within Virgnia Planning District # 19. If you have questions regarding our request for the additional information described above, please let me know.



RECEIVED

JUN 1 3 2003

NC Dot Rail Div

June 2, 2003

Mr. David B. Foster, P.E. Rail Environmental Programs Manager NC Department of Transportation Rail Division 1553 Mail Service Center Raleigh, NC 27699-1553

<u>Subject: Scoping Letter for Tier II Environmental Impact Statement, Southeast High Speed Rail Corridor from Petersburg, Virginia (Collier Yard) to Raleigh, North Carolina (Boylan Wye), NCDOT State Project No. 9.9083002, NCTIP Project No. P-3819</u>

Dear Mr. Foster:

Thank you for your recent letter of May 19 announcing the Tier II Environmental Impact Statement study for the Southeast High Speed Rail (SEHSR) Corridor. We are very interested in this project at the Triangle Transit Authority (TTA), and we would like to be a cooperating agency in this environmental study.

We plan to send a representative to the June 18 meeting in Raleigh. The TTA representative will be Joseph Huegy, AICP, Sr. Transportation Planner.

We look forward to working with you on this important project.

Sincerely,

Yohn Claflin General Manager

Cc: D. Carnell J. Huegy

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JUN 0 9 2003

NC Dot Rail Div

June 5, 2003

Mr. David B. Foster, P.E.
Rail Environmental Programs Manager
State of North Carolina
Department of Transportation
Rail Division
1553 Mail Service Center
Raleigh, NC 27699-1553

Dear Mr. Foster:

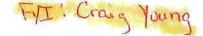
I will be unable to attend the scoping meeting scheduled for June 18th. I would request that the Economic Development Commission to be included as a cooperating agency in this environmental study.

My office is responsible for the activities of the Vance County Transportation Advisory Committee. Please call on me at any time to assist you with any Vance County matters relating to the Southeast High-Speed Rail project. The committee is available to meet with you as needed to discuss items and issues related to the project here and its impact on Henderson and Vance County.

Sincerely,

Bonny Finch
Benny Finch

Executive Director



RATER PLANNING DISTRICT COMMISSION

Monument Professional Building 1964 Wakofield Street Post Office Box 1808 Petersburg, Virginia 23805 PHONE: (804) 861-1666 • FAX: 804-732-8972 • E-MAIL: craterpd@cpd.state.va.us • WEBSITE: www.craterpdc.state.va.us Dennis K. Morris, Executive Director

February 15, 2006

RECEIVED

Mr. Winston Phillips Rail Passenger Project Engineer VDR&PT 1313 East Main Street, Suite 300 Richmond, Virginia 23218-0590

FEB 2 2 2006

NC Dot Rail Div

RE: Southeast High Speed Rail (SEHSR) - Expansion of TIER II EIS Raleigh, NC to Petersburg, Virginia to Richmond, Virginia

Dear Mr. Phillips:

Thank you for the invitation to attend the joint Agency Scoping and Advisory Committee meeting scheduled in Richmond for February 23rd. We ask that the scoping meeting include a description of the multiple alternatives to be evaluated for the segment of this project between Main Street Station in Richmond and Collier Yard in Dinwiddie, including a description of the alternative SEHSR passenger rail station locations to be evaluated in the Tri-Cities Area.

As your office is aware, the Crater Planning District Commission remains concerned that the potential restoration of rail service in the inactive/abandoned S-Line rail segment between Burgess in Dinwiddie County and Centralia in Chesterfield County would likely cause adverse impacts upon adjacent park land, residential and industrial land development. It is for this reason the Crater Commission supports consideration of the expansion of the active rail line in the Tri-Cities Area to accommodate additional rail capacity necessary to accommodate the restoration of passenger rail service in this segment of the Washington, DC to Charlotte, NC rail corridor.

We look forward to continuing our participation in the SEHSR study process.

Sincerely,

Denny K. Morris Executive Director

DKM/js

Cc: Gerald McCarthy

David Foster Kevin Massengill David Canada Richard Anzolut Lane Ramsey

A4. Letters from Federal, State, and Local Agencies

- Federal Agencies
- State Agencies
- Local Agencies

DEPARTMENT OF THE ARMY



NORFOLK DISTRICT, CORPS OF ENGINEERS FORT NORFOLK, 803 FRONT STREET NORFOLK, VIRGINIA 23510-1096

May 17, 2004

REPLY TO ATTENTION OF:

Eastern Virginia Regulatory Section 03-1183-15

Mr. George Buchholz, Biologist Buck Engineering 8000 Regency Parkway, Suite 200 Cary, North Carolina 27511

Dear Mr. Buchholz:

You requested concurrence with the estimated limits of waters of the United States, including wetlands, within the study corridor for the Southeast High Speed Rail from Petersburg to the North Carolina state line, through Brunswick, Dinwiddie and Mecklenburg Counties, Virginia. The study corridor limits were determined for the Tier II Environmental Impact Statement (EIS) being prepared by the Federal Highway Administration, Federal Rail Administration, the North Carolina Department of Transportation Rail Division, and the Virginia Department of Rail and Public Transportation for the Southeast High Speed Rail Corridor. The Norfolk District of the Corps of Engineers is a cooperating agency for the development of documents for this project.

Alice Allen-Grimes of the Corps participated in field reviews of the study corridor in March of this year with representatives of Buck Engineering. You had previously delineated, flagged and mapped the approximate limits of waters of the United States, including streams and wetlands, within the study corridor. Many of the delineated areas were reviewed in the field. The purpose of the field effort was to evaluate whether the methodologies you used to estimate Corps jurisdictional limits were acceptable, and to determine whether the mapping depicted jurisdictional limits sufficient for comparison of the alternative rail alignments being evaluated.

With a cover memo dated April 9, 2004, you submitted revised mapping to reflect the outcome of the field reviews. In a letter dated April 23, 2004, you requested written concurrence that the wetland locations depicted are accurate for the purposes of proceeding forward with the project, specifically for assessing potential wetland impacts associated with the alternatives for the EIS.

We concur with the findings depicted on the figures provided in your April 9 submittal, which we have stamp-dated with a receipt date of April 13, 2004. The limits of wetlands and streams shown on the figures are of accurate sufficiency to use to estimate the impacts of the alternatives for comparison in the EIS. This concurrence with the estimated wetland limits should not be taken as a verified delineation of wetland limits for the Southeast High Speed Rail or for any other projects to be proposed on these properties.

Prior to submittal of an application, it will be necessary to determine the limits of Corps jurisdiction, to be verified by the Corps, on the selected alternative.

Thank you for the opportunity to comment. Should you have any questions, please contact Alice Allen-Grimes at (757) 441-7219.

Sincerely,

Nicholas L. Konchuba Chief, Eastern Virginia Regulatory Section

Copies Furnished:

Federal Highway Administration, Richmond
U. S. Fish and Wildlife Service, White Marsh
Environmental Protection Agency, Reston
National Marine Fisheries Service, Oxford
North Carolina Department of Transportation, Raleigh
Virginia Department of Rail and Public Transportation, Richmond

U.S. ARMY CORPS OF ENGINEERS

Wilmington District

Action ID: 200421016 County: Wake, Franklin, Vance, Warren

Notification of Jurisdictional Determination-

Property

Owner NC DOT Rail Division

David B. Foster, P.E.

Address 1553 Mail Service Center

Raleigh, NC 27699-1553

Telephone Number 919 733-4713

Authorized

Agent Buck Engineering

C/o George Buchholz

Address 8000 Regency Parkway, Suite 200

Cary, NC 27511

Telephone Number 919 463-5488

Size and Location of Property (waterbody, Highway name/number, town, etc.) Southeast High Speed Rail study corridor located north from Boylan Wye in Raleigh to the Virginia State line (running parallel to existing railroad easements) adjacent to waters of the United States in the Neuse, Tar, Roanoke River basins, in Wake, Franklin, Vance and Warren Counties, North Carolina.

Indicate Which of the Following apply:

- There are wetlands on the above described property which we strongly suggest should be delineated and surveyed. The surveyed wetland lines must be verified by our staff before the Corps will make a final jurisdictional determination on your property.
- Because of the size of your property and our present workload, our identification and delineation of your wetlands cannot be accomplished in a timely manner. You may wish to obtain a consultant to obtain a more timely delineation of the wetlands. Once the consultant has flagged a wetland line on the property, Corps staff will review it, and, if it is accurate, we strongly recommend that you have the line surveyed for final approval be the Corps. The Corps will not make a final jurisdictional determination on your property without an approved survey.
 - The waters of the U.S., to include wetlands, within the study corridor limits, have been delineated by your consultant, the delineation has been reviewed in the field by the Corps on Feb. 24, Mar. 2, & Apr. 7, 2004, and the delineation as shown in the submissions by your consultant, has been determined by the Corps to be sufficiently accurate for the purposes of your ongoing alternative analyses review associated with the proposed project's Environmental Impact Statement study. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are no wetlands present on the above described property which are subject to the permit requirements of section 404 of the Clean Water Act (33 USC 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- The project is located in one of the 20 Coastal Counties. You should contact the nearest State Office of Coastal Management to determine their requirements.

Placement of dredged or fill material in wetlands on this property without a Department of the Army permit is in most cases a violation of Section 301 of the Clean Water Act (33 USC 1311). A permit is not required for work on the property restricted entirely to existing high ground. If you have any questions regarding the Corps of Engineers regulatory program, please contact

John Thomas	/ // at / 919 - 876 - 8441 extension 25
Project Manager Signature	luli). Il
Date June 4, 2004	Expiration Date June 4, 2009



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Ecological Services
6669 Short Lane
Gloucester, VA 23061

November 8, 2004

Mr. Roberto Fonseca-Martinez Livision Administrator Federal Highway Administration F.O. 3ox 10249 400 N. Eighth St., Room 750 Eichmond, Virginia 23240-0249

Re: Southeast High Speed Rail

Dear Mr. Fonseca-Martinez:

The J.S. Fish and Wildlife Service (Service) has reviewed the letter dated September 29, 2004 from Mr. David Foster of the North Carolina Department of Transportation (NCDOT) regarding ongoing Section 7 informal consultation for the proposed Southeast High Speed Rail as it affects the federally listed endangered, Michaux's sumac (*Rhus michauxii*). The NCDOT and the Virginia Department of Rail and Public Transportation are studying a proposed 138-mile portion of the project. This letter constitutes the comments of the Service on the proposed project and is submitted in accordance with provisions of the Endangered Species Act (87 Stat. 884, as mended; 16 U.S.C. 1531 et seq.).

In their letter, NCDOT stated that the construction footprint of the railway would be located a min mum of 20 feet from the existing population of Michaux's sumac that is located approximately 3,760 feet south of the Nottoway River in northern Brunswick County, Virginia. NCDOT inquired whether the Service would recommend formal Section 7 consultation on possible impacts of this project on the Michaux's sumac.

Bas id on a review of the information provided by NCDOT, the Service has determined that this project is not likely to adversely affect Michaux's sumac provided the following conditions app y:

- The railway footprint would be located a minimum of 20 feet from the closest extent of the population,
- No construction activity would occur within 20 feet of the closest extent of the population,

2

•

During and following construction, no herbicide treatment would occur with 500 feet of the population.

Should project plans change, or if additional information on the distribution of listed or proposed species becomes available, this determination may be reconsidered.

As we discussed during a recent conference call, other Michaux's sumac populations are managed by the natural resources department at the Army National Guard Maneuver Training Center, Fort Pickett, which is located within close proximity to the subject population. The Service encourages NCDOT to enter into discussions with the Army to ascertain whether this population could be managed by Fort Pickett. Please contact Mr. William Hester of this office for contact information.

Thanl; you for your coordination on this project. If you have questions, please contact Mr. Eester at (804) 693-6694, extension 134.

Sincerely,

Karen L. Mayne

Supervisor

Virginia Field Office

cc: NC Department of Transportation, Raleigh, NC (David Foster)

DEPARTMENT OF THE ARMY



NORFOLK DISTRICT, CORPS OF ENGINEERS FORT NORFOLK, 803 FRONT STREET NORFOLK, VIRGINIA 23510-1096

August 16, 2007

Eastern Virginia Regulatory Section 03-1183-15

Mr. Richard B. Darling, C.E. Baker Engineering NY, Inc. 8000 Regency Parkway, Suite 200 Cary, North Carolina 27518

Dear Mr. Darling:

to the court with the larger than

You requested concurrence with your mapped locations of waters of the United States, including wetlands, within the study corridor for the Southeast High Speed Rail from Richmond to Petersburg, Virginia. Various alternatives for the project are being studied in accordance with the National Environmental Policy Act (NEPA) by the Federal Highway Administration, Federal Rail Administration, the North Carolina Department of Transportation Rail Division, and the Virginia Department of Rail and Public Transportation. The Norfolk District of the Corps of Engineers is a cooperating agency for the development of NEPA documents for this project.

Alice Allen-Grimes of the Norfolk District participated in field reviews of the study corridor in April and May of this year with representatives of Baker Engineering. Earlier in the spring of this year you delineated, flagged and mapped the approximate location of waters of the United States, including wetlands, within the study corridor. Many of the delineated areas were reviewed in the field. The purpose of the field effort was to evaluate whether the methodologies you used to determine the location of waters were acceptable and to determine whether the mapping depicted waters and wetlands sufficiently for comparison of the alternative rail alignments being evaluated.

With a cover letter dated July 7, 2007, you submitted revised mapping to reflect the outcome of the field reviews and requested concurrence that the wetland locations depicted are accurate for assessing potential wetland impacts associated with the alternatives. We concur with the findings depicted on the figures provided, which we have stamp-dated with a receipt date of July 3, 2007. The location of wetlands and streams shown on the figures are of sufficient accuracy to use to estimate the impacts of the alternatives for comparison in your studies.

This concurrence with estimated wetland limits is not a verified delineation of Corps jurisdiction for the Southeast High Speed Rail or any other projects on these properties. Prior to submittal of an application, it will be necessary to determine the limits of Corps jurisdiction, to be verified by the Corps, on the proposed alternative.

You may contact Alice Allen-Grimes at (757) 201-7219 if you have any questions.

Sincerely,

Nuchdas & Konchilo

Nicholas L. Konchuba Chief, Eastern Virginia

Regulatory Section

The Chamber of Commerce of Warren County

Defining the Next Century PO Box 826 Warrenton, NC 27589

7/24/2003

David Foster, PE NCDOT Rail Division Mail Service Center 1553 Raleigh, NC 27699-1553

Re: High Speed Rail Service through Norlina

We urge you to consider a Station and Stop on the Petersburg, VA to Raleigh, NC segment of the proposed SEHSR for the following reasons:

The benefit of a stop in Nationally Historic Norlina, NC is of great economic importance to the area. The County is staggering under the loss of jobs in textiles, manufacturing and newly depressed tobacco production markets. With the current economic crisis in the area, any new economic stimulus is needed and warranted. The bright spot on the economic horizon is the beautiful Lake Gaston, which is becoming a favorite retirement spot for people from the northeast area. There are no mass transportation options currently in the area. The closest air transportation is Raleigh, NC or Richmond, VA and we are right in the middle from either one. What an opportunity for the SEHSR to make a difference!

Norlina sticks out as an ideal location for a train station. It is about halfway between Henderson, NC and La Crosse, VA, two other proposed stops of the SEHSR. From a historical perspective, Norlina was a virtual flurry of rail activity in the years leading up to WWII. The first tracks through the area were laid over 155 years ago. In fact, Norlina incorporated as a result of the railroad in 1913. At it's peak, the Norlina station and rail yard had a switching yard with 2 switcher engines and a turntable. Also included were a freight yard and six or seven additional tracks. All of that is gone now, along with the station, which was torn down in the mid-80's. Even the tracks have been destroyed. But the train is at the heart of Norlina as evidenced by the Norlina Museum, which is housed in a Rail car.

While we understand that the public meeting on July 24th is but a part of the required Tier II EIS, we want you to understand how beneficial the SEHSR could be to Norlina and all of Warren County if we could but hear the whistles blow again for the stop in Norlina Station.

Sincerely,

Jeff Simpson, Chairman Board of Directors

Chamber of Commerce of

Warren County



Town of Wake Forest

401 ELM AVENUE WAKE FOREST, N.C. 27587-2932 PHONE 919/554-6100 FAX 919/554-6195

December 28, 2004

David B. Foster, P.E. NCDOT-Rail Division 1553 MSC Raleigh, NC 27699-1553

> Re: Comments – SEHSR Corridor Town of Wake Forest

Dear Mr. Foster:

Town of Wake Forest staff has reviewed the proposed SEHSR corridor maps dated December 17, 2004. Attached is the listing of our comments which include suggested changes and information regarding projects/structures adjacent to the corridor.

If you have questions regarding our comments or need additional information, please contact me at 919-554-6142 during business hours or by e-mail at chip.russell@ci.wake-forest.nc.us.

Sincerely,

Chip Russell, AICP Planning Director

Town of Wake Forest Comments Southeast High Speed Rail Corridor December 28, 2004

General

- Roadway bridges should be of sufficient width to accommodate ultimate roadway cross-section, inclusive of curb and gutter and sidewalks.
- Rail line bridges should be of sufficient length to span ultimate roadway cross-sections, inclusive of curb and gutter and sidewalks.
- Rail line bridges and roadway bridges should be designed and constructed to accommodate future TTA regional rail system.
- The <u>Wake Forest Traffic Separation Study</u> was completed in November, 1999. In it, eight public street crossings between Ligon Mill Road and Brick Street were evaluated. Recommendations were made for near-term (0-2 years), mid-term (2-5 years) and long-term (5-10 years) improvements. Review a summary at this site: http://www.bytrain.org/safety/tss/newsletters/wakeforest.html
- The distance between crossings is not so close as to require closure. Closure recommendations/criteria: http://www.bytrain.org/safety/closure.html
- The indirect and cumulative effects of some of the proposed closings, considering the proximity of the crossing to the surrounding area, the nature of land uses and services and the distance between crossings, would produce adverse community impacts on property owners in the Wake Forest Historic NRD, businesses in the Downtown Wake Forest Historic NRD, and residents. Reduced connectivity would hinder non-vehicular transportation mobility and disrupt traffic patterns (vehicular and non-vehicular) in areas where sealed crossings (such as four-quadrant gates with raised concrete medians) can provide for traffic safety at necessary rail crossings.

Map 108 of 125

• Provide a bridge or at-grade crossing with the proposed Northside Loop, a future local-major thoroughfare (90' R/W, 4-lane roadway). The Northside Loop is needed for east-west access with significant future residential growth along the corridor and in northeast Wake Forest generally. In concurring with the Brick Avenue closure and without a crossing at Cedar Avenue, the next bridge is the downtown bridge located more than a mile to the south of the Northside Loop crossing, two miles from the county line, a distance too great in light of the future traffic demand.

Map 109 of 125

- Provide a bridge or at-grade crossing with the proposed Northside Loop, a local-major thoroughfare (90' R/W, 4-lane roadway).
- Concur with the closing of Brick Avenue crossing.
- West and East Cedar Avenues are currently closed (no connection). Delete proposed bridge.

• Corridor is adjacent to two National Register Historic Districts: Glen Royal Mill NRD and Wake Forest NRD. Segregating these districts from the east side of Wake Forest poses a negative indirect and cumulative impact.

Map 110 of 125

- Corridor is adjacent to two National Register Historic Districts: Downtown Wake Forest NRD and Wake Forest NRD.
- Do not close/maintain at-grade crossing at Elm Avenue. The proposed closure at the Elm Street crossing would shift land use and traffic patterns in an area subject to the Wake Forest Renaissance Plan which addresses the relocation of the Wake Forest Town Hall and important downtown development and redevelopment plans, in close proximity to an alternate TTA transit station site. Without this crossing, the distance between the Roosevelt Avenue Bridge and the next one at the new Holding Avenue crossing would be .65 miles. In the heart of downtown Wake Forest, this distance is too great to accommodate the type of non-vehicular and interconnected transportation mobility needed to sustain downtown business, public and residential developments. With the Elm Avenue crossing, the crossing is slightly over ¼ mile from the Roosevelt Avenue Bridge and .37 miles from the new Holding Avenue bridge location.
- Close East Holding Avenue crossing. Relocate bridge to Dunn Avenue vicinity for future realignment of East Holding Avenue. To provide continued mobility across the railroad corridor, it is recommended that a grade separated crossing be pursued. The Wake Forest Transportation Plan calls for relocating E. Holding Avenue to align with W. Holding Avenue along a small residential street with grades sufficiently below the railroad to make it possible to consider a rail bridge.
- *Proposed sites for future TTA transit station in downtown.* The Elm Avenue and new Holding Avenue crossings relate to the proposed sites.

Map 111 of 125

- Provide bridge or at-grade crossing at Friendship Chapel Road, a 2-lane collector street. This crossing is critical for access to Town Operations Center and to developing property which will significantly increase traffic demand on the NC_98 Bypass, Friendship Chapel and Rogers Road crossings. It is .3 miles south of the NC-98 Bypass crossing and is closer to the potential TTA transit station site than the Rogers Road crossing located .8 miles to the south.
- Crossing at Forestville Road has been closed.
- Potential site for future TTA transit station associated with new development.

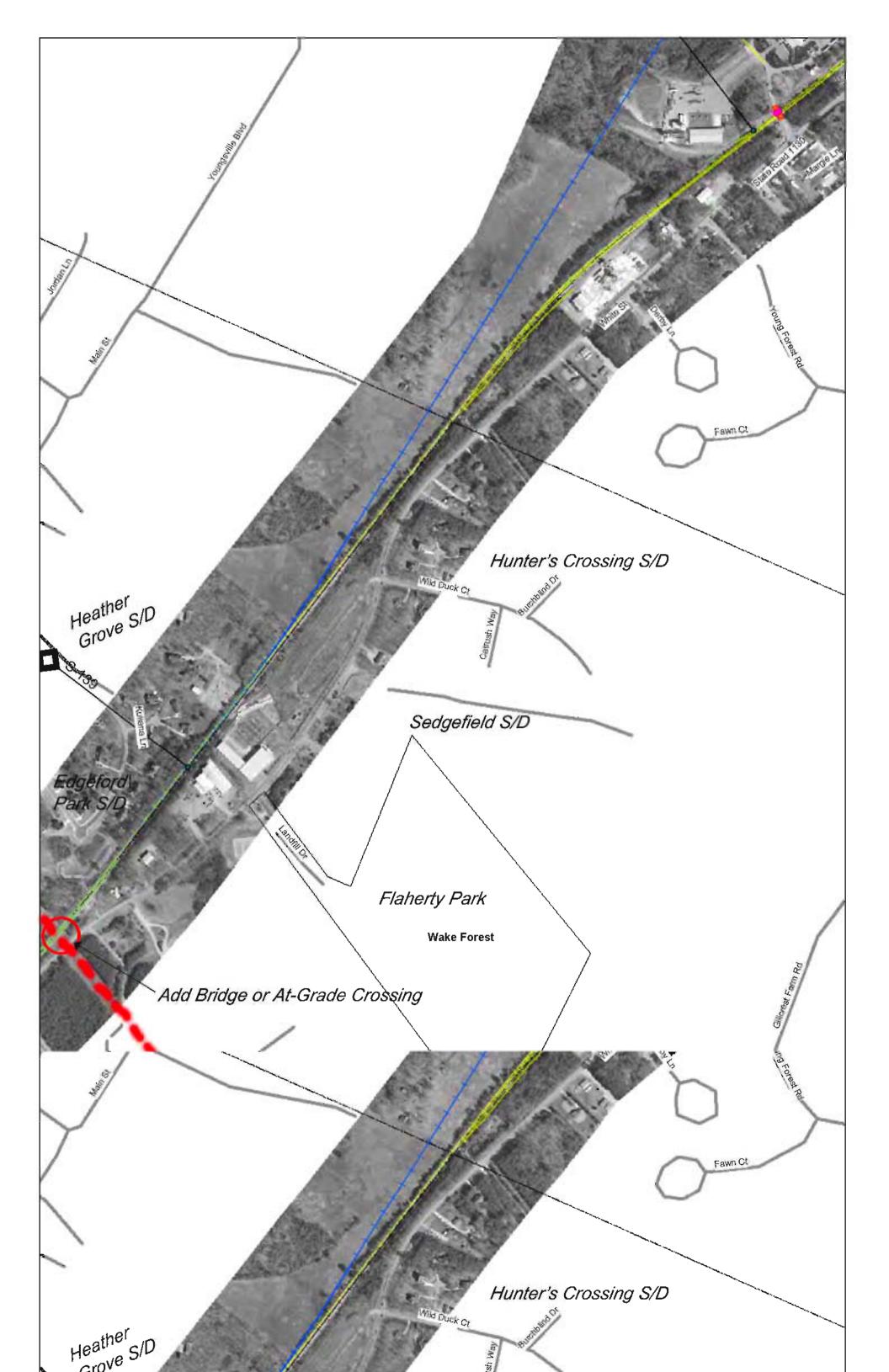
Map 112 of 125

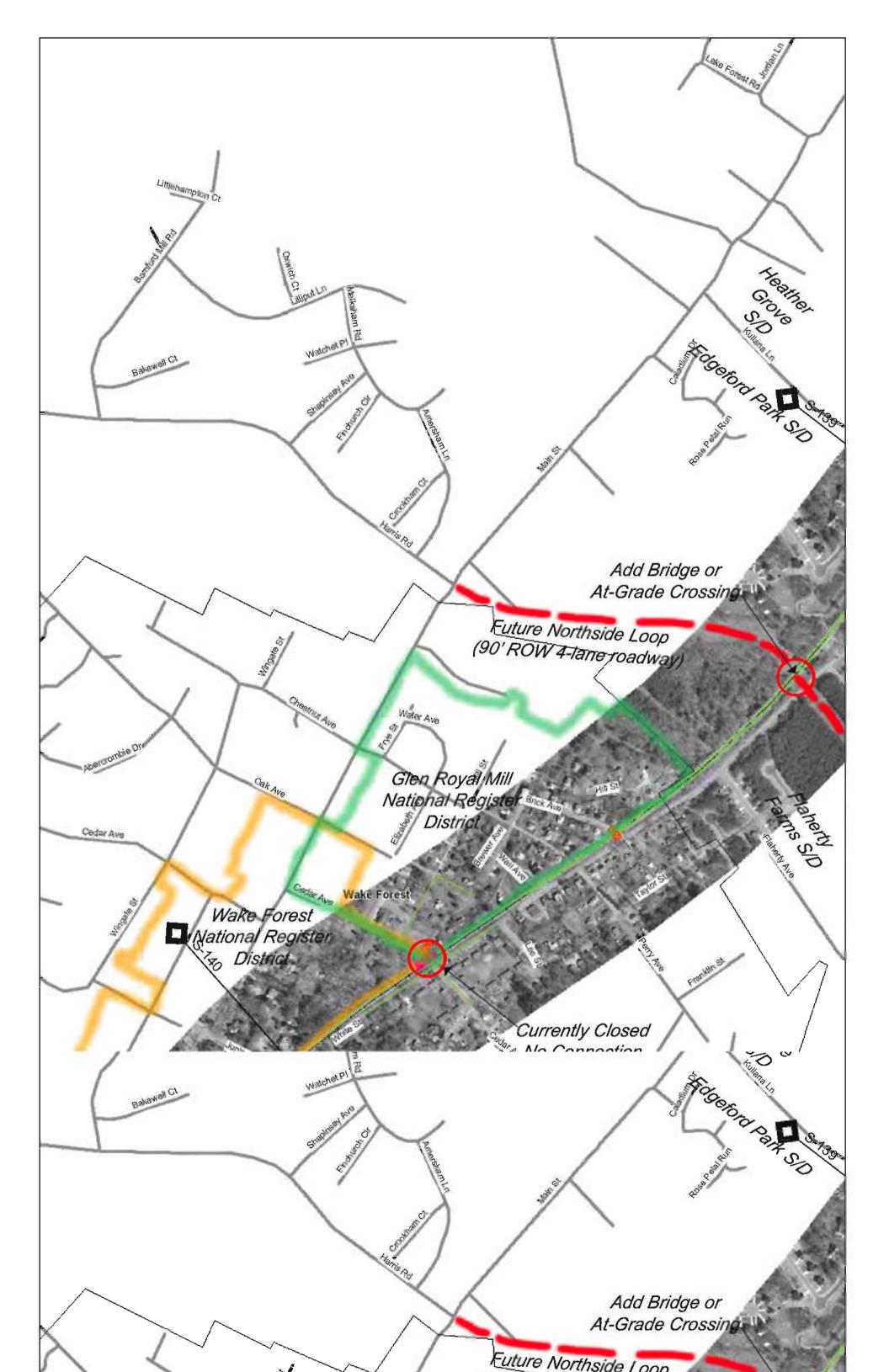
- *Do not close/maintain at-grade crossing at Seawell Drive, a 2-lane collector street.*Critical for access to existing properties and future development.
- Ligon Mill Road, a local-major thoroughfare (70' R/W, 3-lane roadway).
- Rogers Road, secondary major thoroughfare (90' R/W, 5-lane roadway).

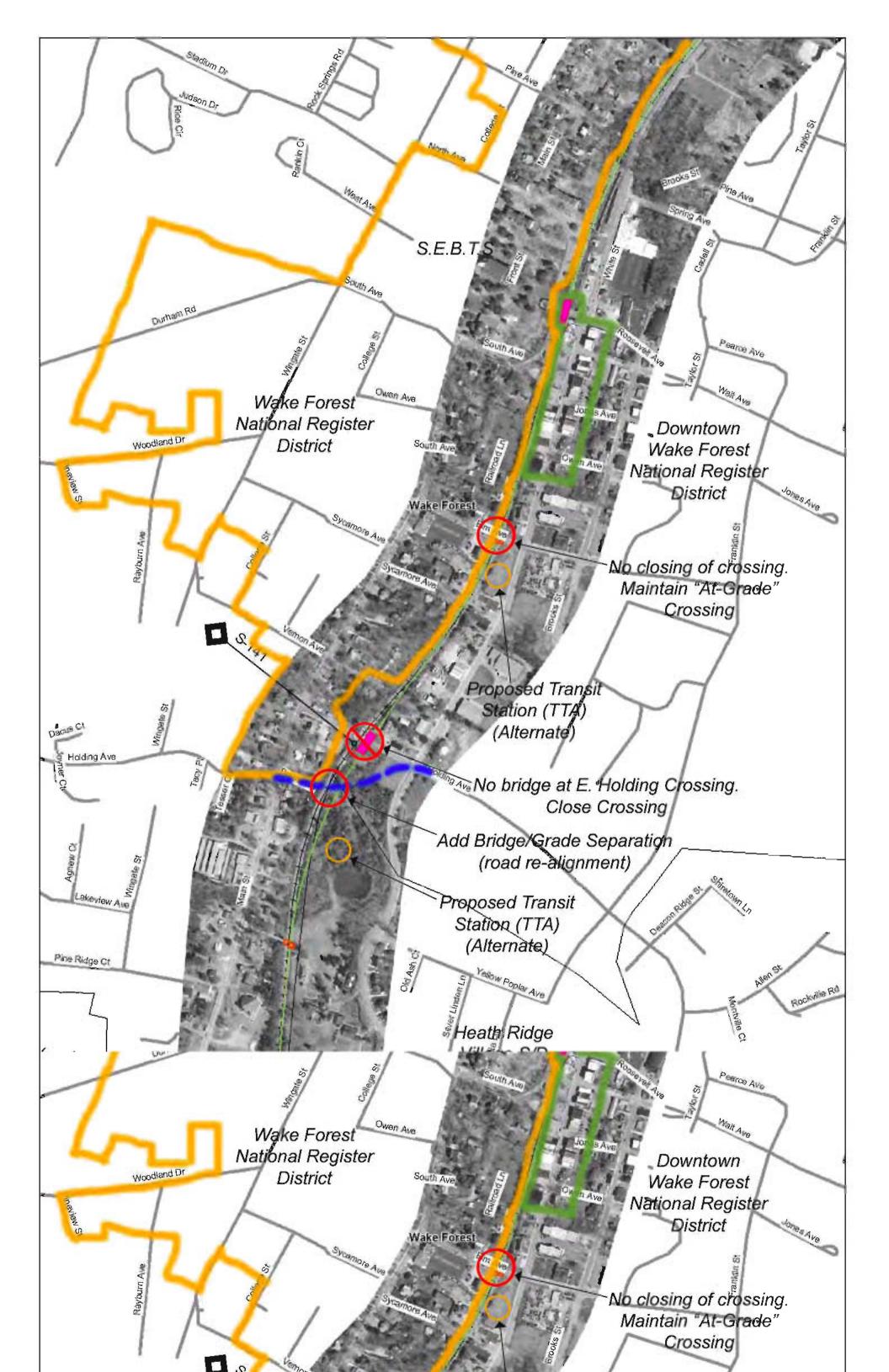
Page 3 Town of Wake Forest Comments-SEHSR Corridor

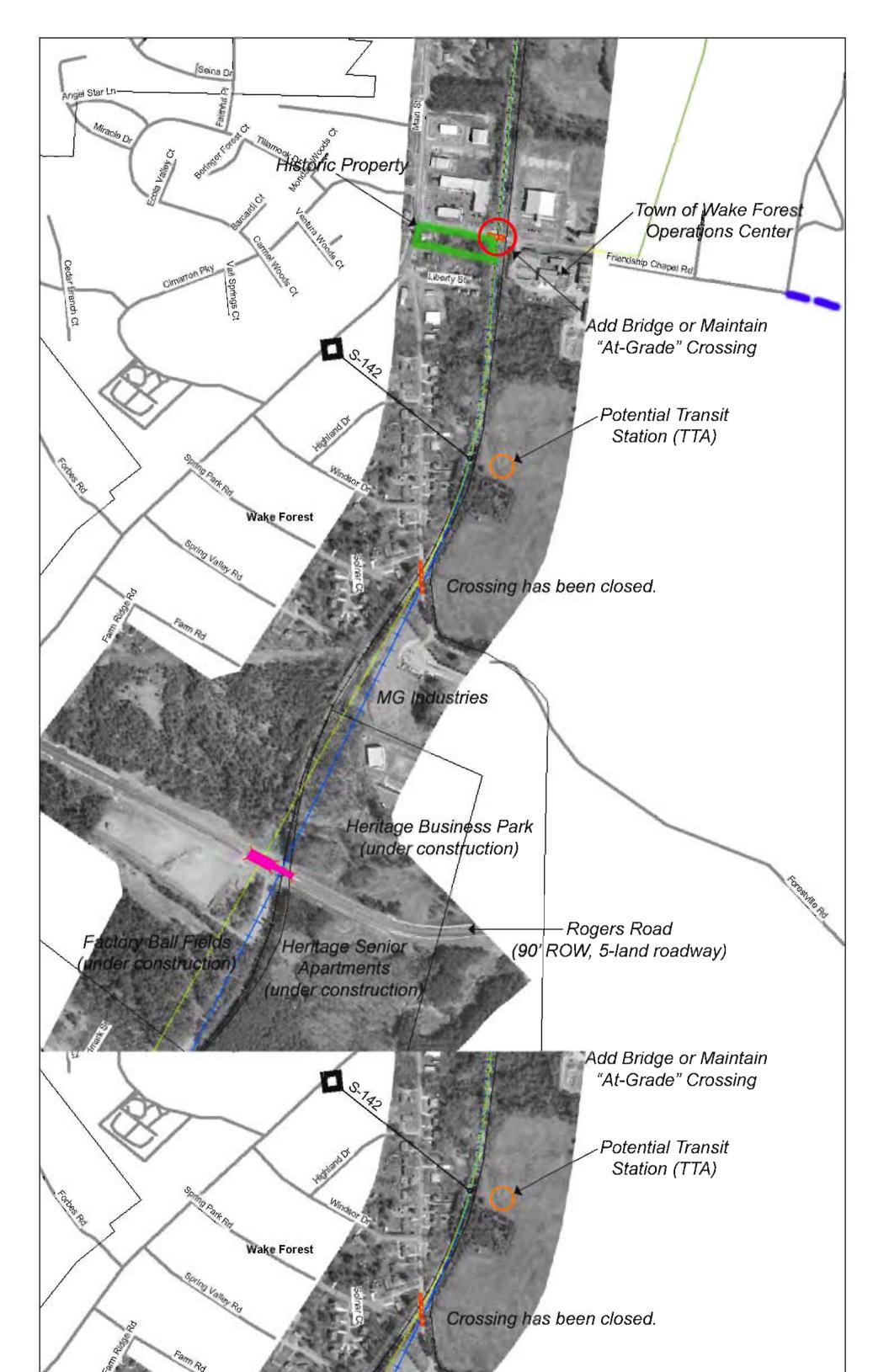
Map 113 of 125

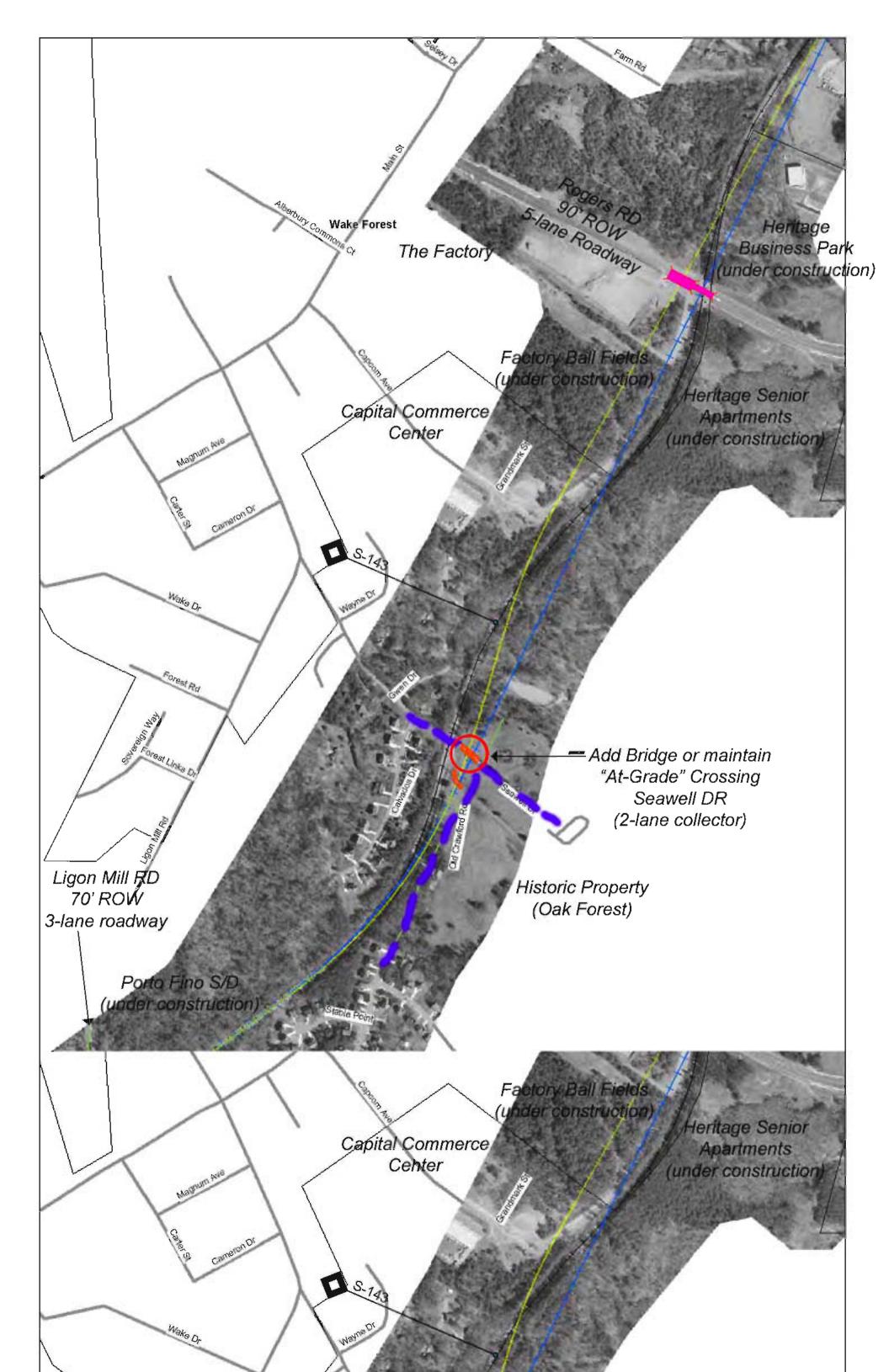
- Add bridge at Height Lane/Unicon Drive extension/connection. 2-lane collector street, 70' R/W. Critical to the conversion of US-1 to freeway section and needed to provide adequate access to the South Forest Business Park.
- Add bridge at proposed US-1 service road extension. The crossing for the planned service road parallel to US-1 is needed to keep local traffic trips off of US-1.

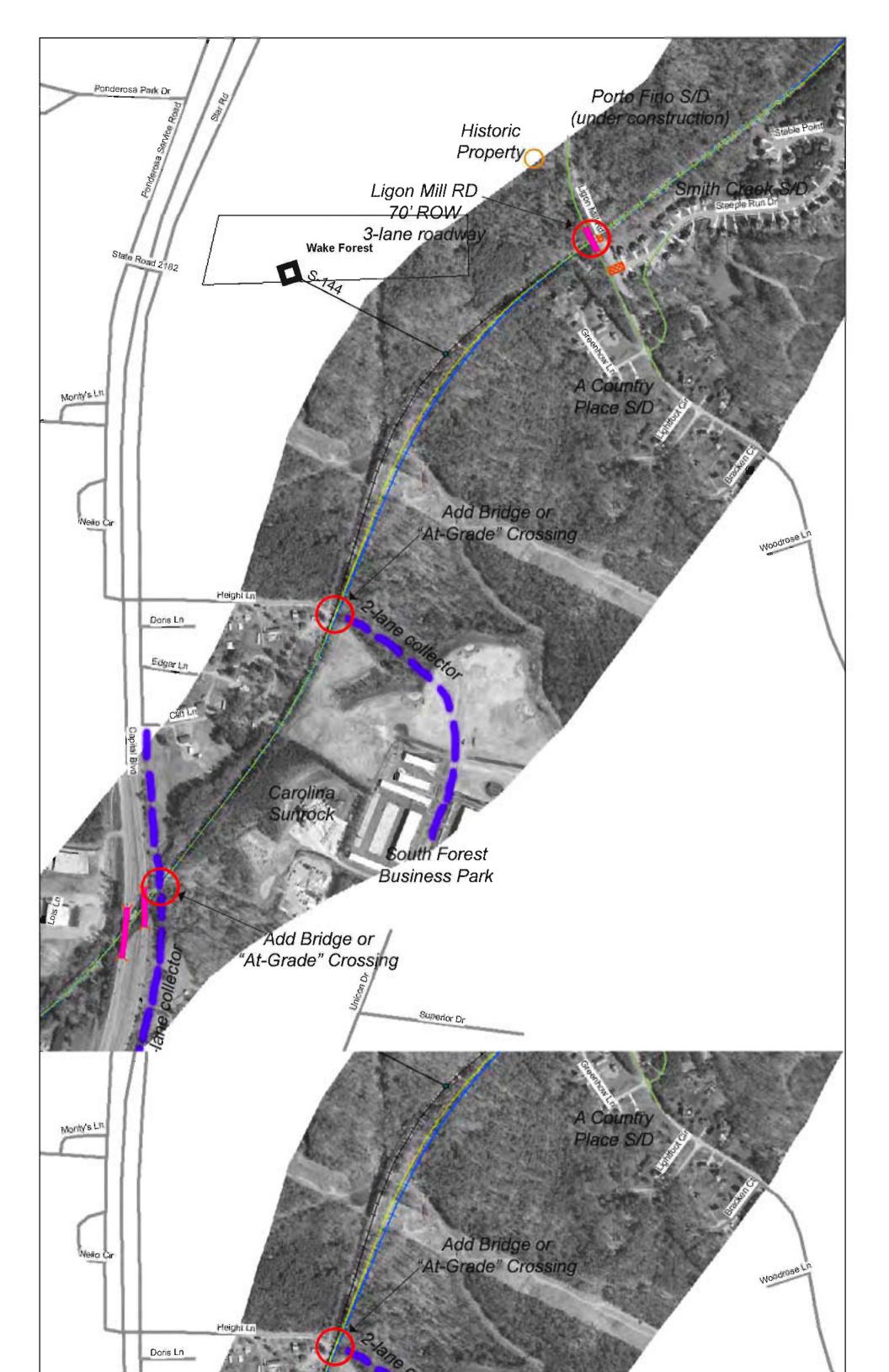


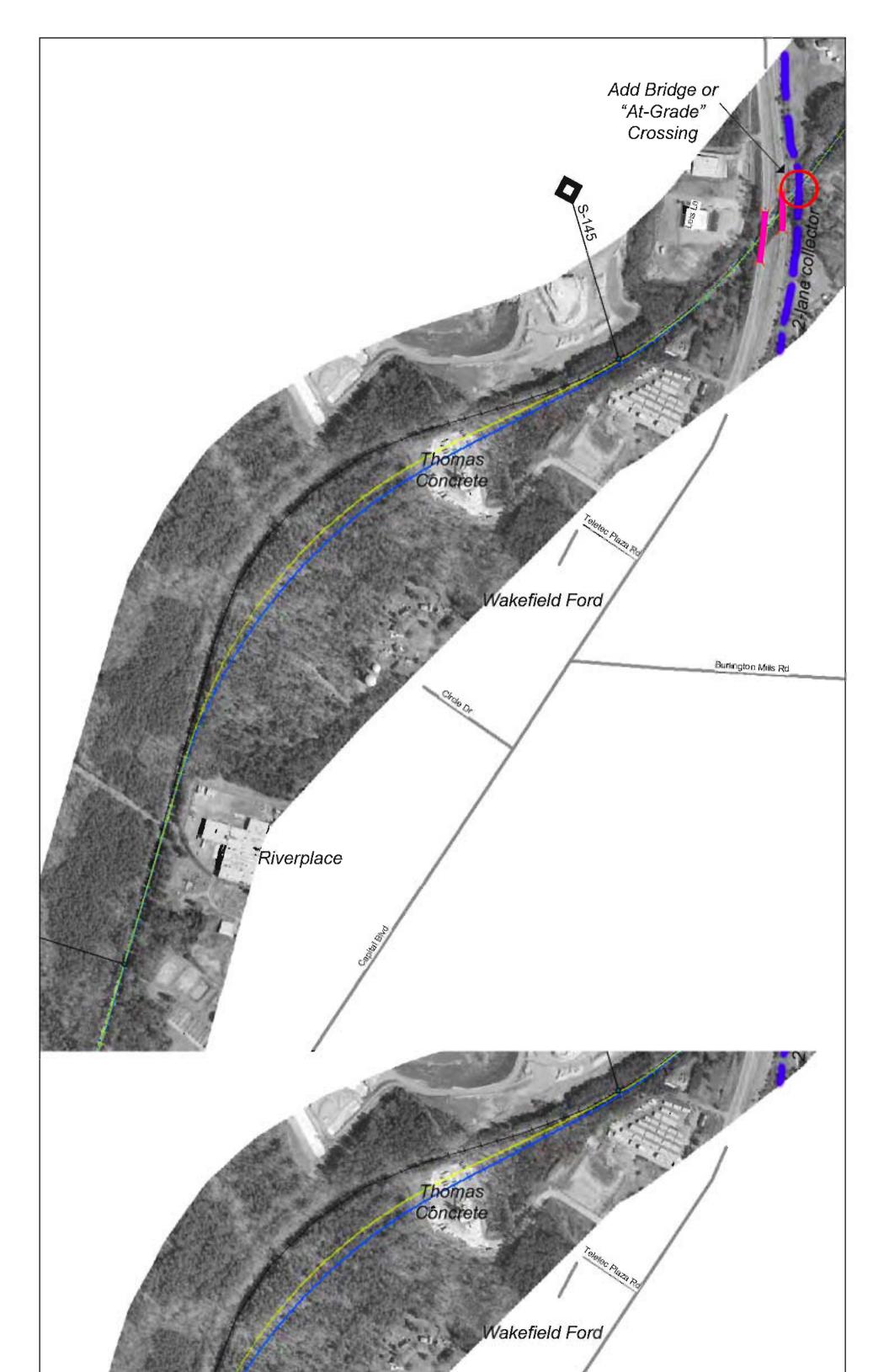














January 3, 2005

David B. Foster Rail Environmental Programs Manager NCDOT Rail Division 1553 Mail Service Center Raleigh, NC 27699-1553

RE: SEHSR S-line location Dinwiddie County

Dear David:

In response to your letter dated December 17, 2004, I am responding to the proposed SEHSR Corridor design plans (Tier II). My comments are based on previous comments and meetings held on this matter with particular reference made to the December 9, 2004 meeting held by you with the County Board of Supervisors and the Town of McKenney Council. It is noted that the Board of Supervisors has gone on record as opposing the S-line location and recommended the A-line for several reasons. I will not pursue this issue since your letter specifically asked for comments on the maps submitted to us for comments.

A few general comments must be made at this time. It is our understanding that the proposed road improvements and road/bridge relocations are an intricate part of the High Speed Rail line and will be constructed at the same time that the rail line is built. The rail line will not extend north of the Burgess intersection area but will proceed east toward the Collier Railroad Yard. Impacts on the Civil War Battlefield sites will be negligible since the rail line will remain within the existing rail line right-of-way. Efforts will be made to assist the County in locating/developing a trail system along the rail line.

The following comments are site specific:

1. on map 10 of 125, it appears that the relocation of Dabney Mill Road will have minimum impact on adjacent property owners;

- 2. on map12 of 125, it appears there is a major road/bridge relocation. There is a concern about the impact there may be associated with severing land owners land parcels;
- 3. on map 14 of 125, the same concern expressed in #2 is applicable;
- 4. on maps 15,16 and 17 there is a major rail line relocation from the existing rail bed. Several issues arise from this regarding impact on home owners as well as the use of the unused portion of the rail bed. Certainly, the County may be interested in a trail system on the unused portion of rail bed;
- 5. on map 18 of 125 there are concerns with wetlands located in this area, the road relocation and how the grade separation will be accomplished;
- 6. on map 19 of 125 there is some concern regarding the conversion of frontage road (F-855) to a through road. Access to Route 1 is important to the citizens living on Glebe Road and other interior roads connecting to Glebe Road;
- 7. on map 20 of 125 there is a major reworking of the roadway alignment and construction of a bridge to obtain grade separation with the rail line and Route 1. It is important that the citizens living to the west of the rail line be given access to Route 1 and I-85; and
- 8. on map 25 of 125 there is considerable concern with the rail line and its impact on the Town of McKenney, Route 40 and the Sunnyside Elementary School. It is our understanding that the rail line will be lowered into the ground and special bridge improvements be given were Route 40 crosses the rail line. Also, sound impacts on the Elementary School will be minimized do to the depression of the rail line below ground elevation and the use of earth berms.

I hope that the comments contained herein are of benefit to you. It is our expectation that our concerns will be included in any future documents developed on the high speed rail proposal.

Sincerely,

William C. Scheid Director of Planning

TO:

MR. DAVID FOSTER, PE

FROM:

ELISSA YOUNT

DATE:

JANUARY 3, 2005

RE:

COMMENTS FROM PUBLIC

Mr. Foster:

As a member of the Advisory Committee on the High Speed Rail, representing the City of Henderson as a Council member, I looked forward to the second advisory meeting which was to be held in August or September. I inquired at our Council meetings if information had been relayed that I might have missed. Was there a meeting that I missed?

Now suddenly we are presented with maps and plans and are given very little time to respond in an educated manner or to advise on the proposal. Just where in the process are we?

Please know that I have grave concerns over the proposal as shown on Map 89 of 125 for the Southeast High Speed Rail. It appears that a 30-year-old plan has been rehashed. Henderson has changed in 30 years and the transportation needs have changed. The one thing that has not changed is the desire to preserve and keep our older neighborhoods in tact. The proposals shown on Map 89, if adopted, will have many detrimental effects and will cause a great deal of opposition. Better solutions can be reached.

I will welcome the opportunity to discuss my concerns with you and invite you to a neighborhood meeting for a positive exchange of ideas that should provide valuable insight.

I look forward to hearing from you. Thank you.

Elissa Yout



Neil Mallory

Executive Director

January 4, 2005

Member Governments

Mr. David Foster, PE NCDOT Rail Division 1553 Mail Service Center Raleigh, NC 27699

COUNTIES
Franklin
Granville
Person

Vance Warren Dear Mr. Foster,

MUNICIPALITIES

Bunn
Creedmoor
Franklinton
Henderson
Kittrell
Louisburg
Macon
Middleburg
Norlina
Oxford
Roxboro
Stem
Stovall

Warrenton

Youngsville

Thank you for the opportunity to comment on the maps to be included on the draft Environmental Impact Statement for the Southeast High Speed Rail Corridor to be implemented through a portion of Region K. Below is a compilation of comments regarding the maps from various affected parties within Region K.

Map 87-- The crossing shown North of Craig Avenue has no designation of being closed or open. This crossing should be closed. The City refers to this area as Railroad Street.

Map 88 -- If the existing Harris Street crossing is closed, there will not be an adequate place to cross this street if going to Main Street. There would need to be road improvements to David Street or consider maintaining an "at grade" crossing in this area so the many residents of the immediate area would have access. Main Street would need improvements, too.

Map 89 -- The proposed Chavasse Avenue bridge needs to be looked at closely to find vertical alternatives such as an underpass for Chavasse Avenue. The William Street realignment appears problematic due to the location. Dead ending William Street without additional road improvements to connect back to Chavasse Avenue is also problematic.

The closure of Young Street does not show access for the City's overhead water-tower.

It appears that some historic neighborhoods may suffer indirect impacts from the plans as currently laid out.

Map 90 -- All improvements and/or design should be coordinated with the proposed future improvements to Raleigh Road. Also, improvements to Nicholas Street will be needed in the event the Average Daily Trips increase due to the various crossing closings.

If the crossing at JP Taylor Road is closed, the alternative route should be designed to be capable of carrying a high capacity of traffic, both truck and car.

Map 92 -- It looks as though there are proposed road closings at Eastern Minerals Road and Peter Gill Road. Will the new construction simply close off these roads on one side or the other of the corridor or will there be a re-routing of these access roads as part of the new construction? Also, we have some concerns about the impacts of the creation of a new elevated road facility will have on the manufactured housing park located directly across from it. Will the relocation or mitigation of these impacts be taken into consideration?

Maps 99-101 -- Starting at milepost 127, to the crossing at mile post 130 there are no crossings to break the three miles of no access. If possible there needs to be another crossing between the two accesses. Will there be a bridge crossing at Misty Way South of Milepost 128?

Map 104 -- Below milepost 133 at Bert Winstead Road, Blue alternative will cross existing entrance to Industrial Park. What will be the impact? What are some solutions? If the yellow alternative is chosen and a spur is existing, will a spur be constructed on the yellow alternative?

Map 106 -- North of milepost 136 is a spur that is not shown to Alcom Industrial. Will it still be accessible after either alternative is chosen?

Map 107 -- Starting at milepost 137 to milepost 138, the blue alternative will make the Preddy property inaccessible. What are some solutions to alleviate the land locked parcels if the blue alternative is chosen? Also, if the blue alternative is chosen can the existing rail remain to allow a spur for access to the Industrial properties? If the yellow alternative is chosen we would request that the new road be realigned to better match existing property lines and allow for future expansion of Namaco. Also, if the yellow alternative is chosen will a spur still be able to access the storage tanks between the Namaco building and track?

Other general comments regarding the SEHSR process and maps were that, due to the number of road closures on side streets and access roads, especially within Henderson, the new facilities put in place to re-route traffic should be able to handle the projected amount of traffic on these roads.

There is concern throughout the region that the Advisory Team that was organized to provide local input to this process has not been utilized. The Team met once several months ago, and has not been regrouped since. Many throughout the region feel that this oversight has resulted in maps being drawn up without an appropriate level of local input.

In addition to the above comments, I am attaching a copy of comments received by Henderson Councilperson Elissa Yount, also a member of the SEHSR Advisory Committee.

If you have any questions about the above comments, or would like additional information, please do not hesitate to contact me. I can be reached at spowell@kerrtarcog.org or 252/436-2048.

Sincerely,

Shelby Powell, AICP

Transportation/Land Use Planner

TOWN OF ALBERTA

P.O. Box 157 Alberta, Virginia 23821 Phone 434-949-7443 Fax 434-949-0643

March 4, 2005

Mr. Craig Young, PE Buck Engineering 8000 Regency Parkway, Suite 200 Cary, North Carolina 27511

I am in receipt of the minutes from February 14, 2005 meeting with officials from the Virginia Department of Rail and Public Transportation (VDRPT) and the North Carolina Department of Transportation (NCDOT) regarding the Southeast High Speed Rail (SEHSR).

Concerning those present, I make the following corrections and additions:
Melissa B. Parrish, Mayor, Town of Alberta
Sammy Samford, Town of Alberta, Planning Commission
Margaret Peterson, Town of Alberta, Co-Chairman, Revitalization Committee
William B. Peterson, Town of Alberta, Planning Commission
Lezlie Green, Town of Alberta, Brunswick County Commonwealth Attorney
Susan Keeney, reporter, The Brunswick Times-Gazette
Diane Hamilton, Town of Alberta, former Town Council member
Sylvia Allen, reporter, The South Hill Enterprise

Rosebud Lane

It is critical that access to a 1,000 "mega site" zoned I-2, remain open. The Virginia Economic Development Partnership (VEDP) has listed this site, within easy reach of municipal water, sewer and I-85, as one of the best potential development sites in Southside Virginia. Closing the road would close the door on one of the top potential economic development areas in Southern Virginia.

Railroad Stop

As you are aware, the Town of Alberta is constructing a 114 acre economic development park at the intersection of Highway 46 and U. S. 1. Tobacco funds in the amount of over \$750,000 have been awarded to begin grading and running infrastructure to the park. The

CSX rail bed runs through the top third of the park. I have recently written a letter to the Brunswick County Board of Supervisors requesting that their proposed shell building slated for the park be built in close proximity to rail bed so that should CSX choose a stop location in Southern Virginia, then this building could serve as a passenger and freight terminal.

In regard to the other four proposals, Main Street, Second Avenue, Virginian Avenue and Church Street /Littlemont Road, I believe those revised proposals meet with public and resident approval. However, I'm sure there will be further public participation at your August workshop.

I am sharing your packet of information with members of the Alberta Town Council and should further questions arise, I will share them with you.

Sincerely,

Melissa B. Parrish

Mayor

CC: Alberta Town Council

MBP





Town of La Crosse

115 South Main Street Post Office Box 178 La Crosse, Virginia 23950 (434) 757-7366

www.LaCrosseVa.org

September 15, 2006

Mr. David B. Foster, PE Environmental and Planning Branch 1153 Mail Service Center Raleigh, N.C. 27699

Dear Mr. Foster,

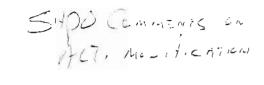
It is with great enthusiasm I write to support the North Carolina Department of Transportation and Virginia Department of Transportation in their initiative to bring passenger rail service to the area.

The town acknowledges the fact that this process, in it initial stages, has required many hours of planning and engineering work. Representatives from both states have made every effort to accommodate the Town's request throughout this process. The design process has included the Town's input on many key issues, which the Town feels is important for its future growth and success. It is without reservation that I write this letter of support concerning the design and development of this project to its current stage and the communication and teamwork that has taken place between all parties involved.

Sincerely.

Jonathan Russell Town Manager





COMMONWEALTH of VIRGINIA

1., Preston Bryant Jr. Secretary of Natural Resources

Department of Historic Resources

2801 Kensington Avenuc, Richmond, Virginia 23221

Kathleen S. Kilpatrick

Tel: (804) 367-2323 Fax: (804) 367-2391 TDD: (804) 367-2386 www.dhr.virginia.gov

March 20, 2007

Mr. David B. Foster North Carolina Department of Transportation Rail Division 1553 Mail Service Center Raleigh, North Carolina 27699-1553

RE: Southeast High Speed Rail, Effects to Historic Properties in Segment of Section CC between the Appointation River and milepost 30 at Burgess on the old CSX S-line NCDOT Project No. 9.9083002

NCTIP Project No. P-3819

VDHR File No. 2001-1460

Dear Mr. Foster:

This letter is a follow up to our meeting of March 7, 2007, and is in response to your letter of March 15, 2007. At our meeting, you requested my opinion regarding the possibility of the three study alignments for the Southeast High Speed Rail (SEHSR) located in the segment of Section CC between the Appointance River and milepost 30 at Burgess on the old CSX S-line to affect historic properties listed in or eligible for the National Register of Historic Places. Although, as you correctly state in your letter, the undertaking is likely to affect historic properties along the length of this entire corridor, you have identified the potential for Alternatives 2 and 3 within this section of SEHSR to have significant impacts to the Petersburg Battlefield III—The Breakthrough (DHR Survey No. 123-5026).

The National Park Service (NPS) has recently designated The Breakthrough battlefield as a National Historic Landmarks, its highest recognition. A preliminary opinion by the Department of Historic Resources (DHR) regarding the effect that Alternatives 2 and 3 may have on The Breakthrough battlefield will assist the project proponents weigh these alignments against other possible alternatives and assist them in meeting their responsibilities under Section 106 of the National Historic Preservation Act.

Page 2 March 20, 2007 Mr. David B. Foster

From the information provided at our meeting, I agree that Alternative 2 and 3 will most probably have an adverse effect on The Breakthrough battlefield, a National Historic Landmark. The introduction of high speed railroad traffic traveling at an estimated 85 to 87 miles per hour through the battlefield will dramatically alter the resource's setting and character. Additionally, safety concerns resulting from the active rail line will preclude plans by the NPS and Pamplin Historic Park to jointly interpret their respective portions of the battlefield. Although I cannot say for certain whether or not Alternative 1 constitutes an adverse effect to historic properties, any potential impacts due to this alignment will be of a lesser degree and more easily mitigated for than the effects arising from Alternatives 2 and 3.

Please be aware that the above opinion is given as "technical assistance" and does not represent our official concurrence on the effect of the SEHSR project on historic properties pursuant to Section 106.

If you have any questions about our comments, please contact me at (804) 367-2323, Ext.

Sincerely,

Mard Holma Architectural Historian

Office of Review and Compliance

Town of Youngsville

P.O. Box 190 118 N. Cross St. Youngsville, N.C. 27596 (919)556-5073 Fax (919)556-0995 TownYngs@ncrrbiz.com www.townofyoungsville.com

To:

David Foster

NC DOT SEHSR

From:

Brenda Robbins

Town Administrator

Subject:

Request from the Town of Youngsville

Date:

4/28/08

As you move forward with the High Speed Rail we would like to request that the following items be strongly considered.

We feel that the project is going to benefit our Town and having the following request would make it even more beneficial.

- We would like to have bike/pedestrian overpasses at Franklin Street and Persimmon Street in Town as well as bike/ped lanes or sidewalks at Main Street and on the NC 96 Bypass connecting to North Cross Street.
- 2. We would also like to request that the bypass connect straight east to Fleming Road rather than extending N. Cross Street north to Fleming Road. We do not want northbound trucks on NC 96 to take Fleming road to Bert Winston road then left to US 1 North.

We appreciate the opportunity to meet and ask questions during this critical process. We feel that these items would be a tremendous help to our Town.

Thanks!

Post-it® Fax Note 7671	Date 5/7/08 pages ► 1
TO CRAIG YOUNG	From LARRY SAMS
	CO. NCDOT
Phone #919-459-9041	Phone #919 - 733 - 7245
	Fax # × 268



Mr. David B. Foster Mr. Alan C. Tobias Southeast High Speed Rail

June 23, 2006

Dear Mr. Foster and Mr. Tobias

The undersigned parties representing property owners, businesses, historic preservation agencies, and local government in Dinwiddie County, Virginia are united in support of the Burgess Connection, Alternative 1, as presented in the Extended Study Area for the Tier II EIS of the Southeast High Speed Rail corridor.

Although routing the High Speed Rail corridor along the Burgess Connection is not without its problems, that alignment possesses clear advantages over routes along the S Line described as Alternatives 2 & 3. Use of the S Line alternatives would impose devastating impacts on historic resources and business interests in Dinwiddie County resulting in significant economic, safety, cultural, and environmental repercussions.

Alternatives 2 & 3 along the S Line include the utilization of an alignment that bisects a National Historic Landmark, goes through Pamplin Historical Park within a few hundred feet of a major visitor facility, traverses land recently purchased by the Civil War Preservation Trust for its historic significance and integrity and identified by the National Park Service as land eligible for inclusion in Petersburg National Battlefield, and compromises major infrastructure features of Dinwiddie County's largest employer, Chaparral Steel.

Chaparral Steel opened its facility in 1999 at a cost of more than \$500,000,000, and with the help and support of Dinwiddie County and the Commonwealth of Virginia. The company employs about



450 people. The plant owns a portion of the former S Line and it is part of the internal infrastructure used for transportation of materials and for transportation of products to one of Chaparral's major customers. Loss of this infrastructure would encroach on Chaparral's ability to transport materials within its plant and to its customers. In addition, the plant's sole vehicle entrance is situated on the S Line and the cost of relocating the entrance would be enormous.

Pamplin Historical Park & the National Museum of the Civil War Soldier is listed on the National Register of Historic Places and is a Virginia Historic Landmark. The Breakthrough Battlefield of April 2, 1865, owned primarily by Pamplin Historical Park and The Civil War Preservation Trust, recently became a National Historic Landmark, the nation's highest designation of historical significance. Pamplin Historical Park provides access to the battlefield via a system of pedestrian trails, which approach within two hundred feet of the S Line. The presence of High Speed Rail on this alignment would grossly compromise the battlefield's historic integrity and visitor experience, and raise safety concerns for Park visitors.

The Park and the Civil War Preservation Trust are discussing utilization of the S Line right-of-way to expand the pedestrian trail system to provide access to additional areas of the National Historic Landmark. Pamplin Historical Park is a privately funded non-profit facility that represents more than \$40,000,000 of investment in historic preservation and education, and is one of the County's leading employers. The presence of a High Speed Rail Line would severely devalue the Park's historic resources and reduce its appeal as an educational and recreational destination.

The Civil War Preservation Trust is the nation's leading preservation organization protecting Civil War sites. It has a national membership of more than 70,000 and a track record of effective activism. Its recent purchase of more than 350 acres of the Breakthrough



Battlefield (land that spans two other Civil War battles from 1864 and 1865) corresponded to the declaration of the area as a National Historic Landmark. Moreover, the recently approved General Management Plan of Petersburg National Battlefield identifies the land owned by the Civil War Preservation Trust as eligible for inclusion in the National Battlefield. It is hard to imagine a less appropriate place in Dinwiddie County for the existence of a high-speed rail line than through this hallowed ground, identified by the Department of the Interior, National Park Service, Civil War Preservation Trust, and Pamplin Historical Park as possessing both paramount national significance and preservation integrity.

The County of Dinwiddie continues to harbor reservations about the benefits of the High Speed Rail Line for its citizens. However, the County has no doubts about the substantial adverse economic and cultural impacts that use of Alternatives 2 or 3 would impose on the county's primary manufacturing employer and its leading tourism attraction.

Dinwiddie contains more Civil War battlefields than any county in the nation, and local leadership is committed to developing the county in a manner that is sympathetic to heritage tourism. Segments of the S line are slated for development by the County as an East Coast Greenway Trail for outdoor recreation and to link the County's historic properties, uses incompatible with an active rail line. Projects that threaten the viability of historic sites are not in the county's best interest. There is little logic in supporting a transportation project designed, in part, to bring visitors to Dinwiddie County if the project destroys the reasons that visitors would choose to come.

Whatever the benefits of High Speed Rail might be for Dinwiddie County and the nation, they should not come at the cost of destroying nationally significant historic ground or compromising the economic viability of two of the county's primary employers. For these reasons,



the organizations listed below urge the adoption of the Burgess Connection, Alternative 1, for the route through Dinwiddie County of the Petersburg to Richmond Extended Study Area.

Sincerely,

A. Wilson Greene

For The County of Dinwiddie;

For Chaparral Steel_

Executive Director

For Petersburg National Battlefield

For Pamplin Historical Park(

For the Civil War Preservation Trust

the organizations listed below urge the adoption of the Burgess Connection, Alternative 1, for the route through Dinwiddie County of the Petersburg to Richmond Extended Study Area.

Sincerely,

A. Wilson Greene Executive Director



TOWN OF FRANKLINTON

Post Office Box 309 Franklinton, North Carolina 27525 (919) 494-2520 Fax (919) 494-7804

Mr. David Foster, PE
North Carolina Department of Transportation
Rail Division
Rail Environmental Programs Manager
1553 Mail Service Center
Raleigh, NC 27699-1553

Post-it [®] Fax Note 7671	Date 5/22/08 pages
to CRAIG YOUNG	From LARRY SAMS
Co./Dept. PARCE EUG	CO. NEDOT
Phone II	Phone # 919 - 735-7245 XZC
Fax# 919 -463-5490	Fax #

May 13, 2008

Mr. Foster:

Thank you to both you and your team for coming to Franklinton on Friday morning, May 9, to meet with Tammy Ray and I. We both recognize the value of your time, and we truly appreciate your willingness to travel to the town to see firsthand our challenges with the proposed closings.

I felt strongly that our meeting was a very beneficial one. Throughout the course of the time we conversed and examined options, it was made very clear from you and your team that you truly care about how these closures will impact the Town of Franklinton and our citizens. It is my hope that the alternatives we have discussed at both Mason Street and College Street will become viable options that we will be able to move forward with in effort to reduce the effect of these closures on the Town.

It is also important to note again our interest in ensuring that the town's resources not be depleted through the increased upkeep of streets that will be more heavily traveled through the rerouting of traffic. We are still quite interested in examining the possibility of the NC DOT taking over maintenance of several city streets that will see increased traffic. I would like to discuss this with your team at some point in the near future. Of course, we wouldn't be seeking a transfer of maintenance until the point at which the high speed rail has begun operating.

Again, thank you for your time on Friday. Our citizens are very appreciative of all of your efforts to ensure their safety, and prosperity.

Very truly yours,

Elic A. Senter

Mayor

RECEIVED

MAY 22 2008

NCDOT RAIL DIVISION



CHARLES MEEKER MAYOR

July 30, 2008

David B. Foster, PE NCDOT Environmental and Planning Branch 1553 Mail Service Center Raleigh, NC 27699-1553

Subject: City of Raleigh Comments, Southeast High Speed Rail Study Tier II Draft Environmental Impact

Statement

Dear Mr. Foster:

This letter contains the City of Raleigh's comments on the proposed grade separations and street closings as presented to City staff on April 17, 2008 by representatives of NCDOT and their consultants. The comments are based solely on that presentation and subsequent maps submitted to staff highlighting the grade crossings in question.

For consistency with work performed to date, the City's comments are organized using the same format as the scoped impact categories used in the Tier 1 DEIS. The City's comments are limited to the following categories:

- Community characteristics, including:
 - o Barrier effects
 - o Aesthetics
 - o Compatibility with community goals
 - o Safety and grade crossings
 - o Mobility and accessibility
- Economy
- Land Use
- Displacement and relocation
- Utilities
- Physical Environmental Resources/Visual character
- Alternatives to the proposed action

RECEIVED

AUG 1 3 2008

NCDOT RAIL DIVISION

This letter has been prepared with the participation of the following City of Raleigh departments:

- City Manager
- City Planning
- Public Utilities
- Public Works

The City of Raleigh wholeheartedly supports the efforts to bring high speed passenger rail service to the city, to the region, and to downtown. The City has committed funds and staff to plan for a Multi-Modal Transportation Center in the Boylan Wye area, of which SEHSR is a significant future component. Federal and State funds have also been used to plan for the Multi-Modal Transportation Center, and NCDOT has been a partner in its development to date. However, the City has many concerns and issues regarding the current SEHSR proposal and believes the current plan for the corridor as it traverses downtown has significant adverse impacts to the City.

Overview of Affected Area

The area under consideration generating the greatest concern is the segment traversing downtown Raleigh along the Seaboard "S" line from Peace Street south to the Boylan Wye. The downtown area contains numerous grade crossings as well as grade-separated crossings. Existing grade crossings include West Street, Harrington Street, Jones Street, and Hargett Street. Existing grade separated crossings include Peace Street, Capital Boulevard, Hillsborough Street, and Morgan Street.

As per the presentation, new grade separations are proposed throughout the affected area. Some streets are targeted for closure, while others are proposed to be raised on bridges over the existing rail corridor. The grade of the rail corridor will stay unchanged. Streets proposed for closure are Jones Street and West Street, and streets proposed for grade separation are Harrington Street and Hargett Street. However, it is our understanding that the grade separation of Harrington Street may be technically infeasible, and therefore a pedestrian-only alternative has been proposed. There have also been discussions between the design team and City staff regarding the potential extension of Lane Street to Glenwood Avenue that would span the rail corridor.

Discussion of Impacts

Community Characteristics

Barrier effects: The street grid within downtown Raleigh is already interrupted in several locations by the existing rail infrastructure. The proposed street closings will greatly exacerbate the current lack of connectivity within the street grid, effectively severing one of downtown's most vibrant districts, Glenwood South, from the rest of downtown. The barrier effects will be both physical, impacting vehicles and pedestrians; and psychological, arising from the inability to circulate effectively from place to place. Between Glenwood South and more easterly parts of downtown, there will be opportunities for east-west connections between Hillsborough Street and Peace Street, a distance of 3,500 feet or seven city blocks. The result will effectively cleave the downtown area in two and prevent the various downtown districts from growing together as a cohesive whole.

Aesthetics: Within the downtown, the proposed bridges will have an extremely negative visual impact on parts of the downtown currently receiving some of its largest private investment in development. There are seven new mixed-use, hotel and residential projects under construction or consideration within or adjacent to the affected areas. The proposed flyover crossings would have severe negative visual impacts beyond the boundaries illustrated in the presentation, disrupting important view corridors, blocking the views from adjacent residential uses, hotels and restaurants. A large piece of modern infrastructure, raised above the right of way in a dense city center, will itself have difficult aesthetic challenges. The elevated roadways also potentially create problem areas for maintenance and safety below the structures in an urban setting.

Compatibility with community goals: The City has a long standing policy to not to close streets within the original downtown grid laid out in 1792. This project specifically proposes to close Jones Street, which is one of the State's most important ceremonial corridors and home to the NC Legislature, the Governor's Office, and the most visited State museums, which receive over one million visitors annually. The City has emphasized Jones Street as a principal pedestrian corridor in downtown Raleigh. While the draft plan has proposed constructing a pedestrian overpass to mitigate the impacts, the City's adopted Downtown Urban Design Guidelines strongly discourages any type of pedestrian flyovers within the downtown. Removing pedestrians from the street level has negative impacts on adjacent ground level retail and restaurant uses. More broadly, the City has also targeted the area north of the rail corridor as an important growth area and the proposed configuration will cut this area off both visually and operationally from the rest of downtown.

Safety and grade crossings: There are numerous examples in other American cities of at-grade rail crossings supporting transit and freight movement that coexist with vehicular and/or pedestrian traffic. The City of Charlotte recently began operation of its light rail system on its South Corridor. This system operates trains with 15-minute headways in each direction and supports numerous at-grade crossings for both vehicles and pedestrians within and adjacent to their downtown area.

While the City understands the benefits of a "sealed corridor" in certain contexts like high-speed rail operation, the proposed service will be operating at low speeds in downtown Raleigh due to the existing track geometry and the fact that the trains will be entering or leaving the station at this location. As the travel characteristics of the trains and the tracks will be different outside of downtown, the City has not objected to the proposed grade separations elsewhere in the City.

All of the existing grade crossings in downtown Raleigh currently operate with a very positive safety record and very few accidents. The additional traffic generated by the proposed SEHSR traffic does not seem to warrant this level of infrastructure investment and community impacts, specifically when the trains will be operating at low speeds entering and departing the station area.

Mobility and accessibility: The current at-grade crossings in downtown function acceptably from the City's standpoint with regards to mobility and traffic efficiency. Each of these crossings support approximately 3,000 - 5,000 trips per day while experiencing closings associated with current freight and intercity rail traffic. The durations of additional gate closings associated with the SEHSR project will be minimal due to the short length of each train.

The proposed street closures would force the trips making the existing crossings to other locations and may lead to higher amounts of congestion at other locations. Portions of the downtown street network already function near capacity and are incapable of additional widening due to existing urban development patterns.

The proposed street closures will also adversely impact other modes of transportation. The City is currently in the process of planning a downtown transit circulator system to connect the various parts of downtown. A loss of connectivity in this area will severely hinder the City's ability to consider options for this service. The proposed closures will also dramatically impact the walkability of this area. The existing connection between Glenwood South and the Powerhouse District (Jones/West area) would be severed; it is unlikely that the proposed mitigation of a proposed pedestrian overpass will be functionally effective. Additionally the removal of the existing at-grade crossings would impact the existing bicycle route network that currently traverses this area.

Economy

Over the past five years, Downtown Raleigh has gone from economic stagnation to one of the most active areas of investment in the State. Following the adoption of the Downtown Livable Streets plan, downtown has been on the receiving end of nearly \$3 billion in public and private investment. Two significant recent additions to the City's skyline include Progress Energy's second office tower and the Royal Bank of Canada's new U.S. headquarters on Fayetteville Street. These are strong examples downtown's newfound market strength.

Within and in the immediate vicinity of the affected area, there have been numerous new developments, all of which have been led by the private sector. Approved and constructed projects include:

ú

- The Quorum office and residential tower (\$35 million)
- The West residential tower (\$70 million)
- The Powerhouse Plaza hotel and office tower (\$50 million)
- The Bloomsbury's two residential towers (\$55 million)
- 222 Glenwood residential tower (\$35 million).

In addition, there are several public and private projects in the development phase that will represent approximately \$500 million in additional new investment. All of these new planned projects would be adversely affected by the uncertainty of the impacts of the proposed closings and flyovers.

Land Use

The emerging land use pattern in downtown Raleigh is characterized by dense multi-story buildings featuring a mix of uses: apartments and condominiums, offices, hotels, and ground-floor retail. This development pattern is highly beneficial, as it is compact, efficient in its use of energy and infrastructure, and supportive of multi-modal trip generation. This development pattern is facilitated by downtown's block patterns and interconnected street grid, which assists pedestrian circulation and disperses traffic rather than concentrating it on a few routes. The proposed loss of connectivity within the downtown could negatively impact the City's ability to accommodate and attract these types of positive land uses.

Displacement and relocation

The footprints of the impacts associated with the proposed overpasses were reviewed with City staff. Many of these physical impacts would have substantial impacts on existing buildings and developments that could not be replaced due to slope maintenance requirements. This creates irreplaceable losses in revenue to the City with the loss of taxable land in an area with the highest land values in the City. Even if retaining walls are employed to reduce the footprints, the resulting loss of access to properties may still create the same impacts. For example, the newly constructed West residential condominium tower would potentially lose access to its parking deck entrance on Harrington Street with the proposed grade-separation scenario included in the current plans.

Utilities

Water mains, sanitary sewer mains, and their appurtenances such as fire hydrants, meters, and service connections exist along the street rights-of-way where all grade separations are proposed. Additional fill material and/or bridge support structures for the grade separations will likely conflict with the existing utilities and require significant utility relocations or replacements. These utilities provide water and sewer service to the customers in the vicinity and must be kept in service during construction. Provisions to maintain service such as temporary water mains and services, temporary sewer services, and sewer bypass pumping will be required. A large diameter water distribution main (12"-16") exists within the street right-of-way at nearly every proposed grade separation road and will require relocation.

Outside of the downtown area, the City has additional concerns regarding the large diameter water transmission mains that exist along Atlantic Avenue (36") and along Durant Road (24"). The fill required for the New Hope Church Road bridge appears to impact the New Hope Church/Atlantic intersection area and will require a detailed investigation to determine the severity of the impacts. The 24" water transmission main along Durant Road appears to be in direct conflict and will require relocation. The water transmission mains are critical components of the water system. Service interruption will have to be carefully planned, closely coordinated with the CORPUD staff, and performed during low flow periods (winter months) at night. Resolution of the conflicts with the utilities will have significant cost implications.

Proposed Alternatives

The City of Raleigh is also concerned with the apparent lack of consideration given to alternatives which would either avoid or substantially mitigate many of the impacts described above.

Alternate Alignments

Norfolk Southern has an existing rail right of way to the west of the proposed right of way that is already grade separated except for the Jones Street crossing. Using this line to pass through the downtown would eliminate most of the negative impacts associated with the new flyovers. This alternative would also avoid disrupting the connectivity to areas north of the proposed right of way and may actually provide opportunities to improve connectivity north of Peace Street. In addition all of the new and proposed projects along this Norfolk Southern right of way have been designed to mitigate the impacts of the existing rail operations.

Alternate Treatments

While the project team has focused exclusively on sealing the corridor to support the SEHSR service, there has been little technical evaluation of the effects of leaving the existing crossings in place. In the City's previous discussions with Triangle Transit regarding their proposed service at these same crossings, only closure of the Hargett Street crossing was discussed. Neither Triangle Transit nor the associated rail companies approached the City regarding any limitations to the Jones Street, West Street, or Harrington Street crossings. In fact the discussions of these crossings involved means of improving the crossings for pedestrians and improving their compliance with ADA regulations. We would suggest that similar evaluations need to be conducted for these crossings.

Conclusions

In conclusion, the City of Raleigh feels that there will be serious adverse impacts to its downtown area from the current proposals to seal the SEHSR corridor. These impacts will negatively affect our community character, economic development, existing and future land uses, and the transportation system as a whole. While the City remains strongly in support of the SEHSR project and its proposed downtown station, more investigation of potential impacts, alternatives, and appropriate mitigation is required. The City of Raleigh looks forward to collaborating with NCDOT further on these matters in the coming months.

Yours truly.

Mayor

Cc: Russell Allen - City Manager

Mitchell Silver, AICP - Planning Director

Carl R. Dawson, Jr., PE – Public Works Direct

Dale Crisp, PE – Public Utilities Director

p.J

Vente de consider la Haratika set out on page S. This is a reclusion over noor a got tom where to trains will not be moving fast. Paly C



CITY OF COLONIAL HEIGHTS

P.O. BOX 3401 COLONIAL HEIGHTS, VA 23834-9001 www.colonial-heights.com

Office of the City Manager

August 12, 2009

Mr. Kevin Page Director of Rail Virginia Department of Rail and Public Transportation 600 East Main Street, Suite 2102 Richmond, VA 23219

Mr. David B. Foster SEHSR Project Manager North Carolina Department of Transportation 1553 Mail Service Center Raleigh, NC 27699-1553

RE: SEHSR Petersburg Alternatives

Gentlemen:

As a follow up to the meeting held in Colonial Heights on July 28, 2009, please accept this letter as formal notification from the City of Colonial Heights, Virginia, that the City supports the concept of NOT carrying forward any further evaluation of the Petersburg downtown alignments known as VA2 and VA3 in the Tier II EIS. The City of Colonial Heights has always been opposed to VA2 and VA3 due to their respective impacts on residential and commercial development currently in existence in the City. We also oppose the additional costs associated with these two alternatives. While we appreciated the City of Petersburg's interest in service to their downtown Union Station, we understand the impacts on historical sites in and around the City of Petersburg that come with VA2 and VA3. We further do not support impact on these historical sites from a preservation and tourism promotion perspective. Therefore, the abandonment of further evaluation of VA2 and VA3 is supported by the City of Colonial Heights.

For the record, the City of Colonial Heights always has, and continues to support the alignment known as VA1 with service for the Southeast High Speed Rail initiative along the current CSXT A-Line.

Mr. Kevin Page and Mr. David B. Foster August 12, 2009 Page 2

We appreciate being involved in the study to-date and in general, support the Southeast High Speed Rail project. If I can be of any further assistance to you on this or any other matter, please do not hesitate to contact me.

Sincerely,

Richard A. Anzolut, Jr. City Manager

RAA:eg

cc: George W. Schanzenbacher, Director of Planning & Community Development Larry Sams, NCDOT Rail Division



Commander United States Coast Guard Fifth Coast Guard District

431 Crawford Street
Portsmouth, Va. 23704-5004
Staff Symbol: dpb
Phone: (757) 398-6587
Fax: (757) 398-6334
Email: terrance.a.knowles@uscg.mil

16591 5 NOV 09

Ms. Suzanne Unger Young, P.E. Planning Team Leader Michael Baker Engineering 8000 Regency Parkway; Suite 200 Cary, NC 27518

Dear Ms. Young:

We have reviewed the excerpts from the Draft EIS provided with your email dated October 19, 2009, for the proposed Southeast High Speed Rail (SEHSR) Project for the bridges crossing the James, Appomattox, and Meherrin Rivers and Lake Gaston in the greater Richmond/Petersburg and Southern Virginia areas.

We have determined that the proposed SEHSR Project for the James River Bridge will require a Coast Guard Bridge Permit. After further review, the proposed SEHSR Project for the Appomattox River Bridge, near Ettrick VA, for the Meherrin River Bridge, near South Hill, VA and for the Lake Gaston Bridge in Mecklenburg, County, VA are all exempt. The Coast Guard Authorization Act of 1982 exempts bridge projects from Coast Guard bridge permits when the bridge project crosses non-tidal waters which are not used, susceptible to use in their natural condition, or susceptible to use by reasonable improvement as a means to transport interstate commerce. The aforementioned email describes such a project; therefore, the bridges in proposed locations will not require a Coast Guard Bridge Permit.

This determination is for the locations and construction of the above listed bridges and is valid for five years from the date of this letter. If the construction does not commence within this time period, you must contact this office for reaffirmation of this authorization. Further bridge projects along the same waterways will have to be independently evaluated before they may be considered for this determination.

If you have any questions regarding this matter, please contact Mr. Terrance Knowles, at the phone number or address shown above.

WAVERLY WYGREGORY, JR.

Chief, Bridge Administration Branch

By direction of the Commander

Fifth Coast Guard District

A5. Resolutions and MOUs

RESOLUTION BY TRIANGLE GREENWAYS COUNCIL ON SE HIGH SPEED RAIL AND TRAIL

WHEREAS, North Carolina and Virginia are collaborating on the preparation of NEPA documentation for High Speed Rail corridors through their respective states;

WHEREAS, the concept of a non-motorized trail is also being considered as an additional public facility within the corridor between Petersburg, Virginia and Raleigh, North Carolina;

WHEREAS, the proposed southern termination point of this trail of approximately 116 miles is at the Neuse River on the north side of Raleigh;

WHEREAS, at that point the trail would interconnect with Raleigh's existing and expanding greenway network and its extensive trail system;

WHEREAS, the Neuse River is also the location of the proposed NC Mountains to Sea Trail through Wake County (Raleigh) and Johnston County which is currently under development, as well as eastward to the coast;

WHEREAS, the East Coast Greenway (ECG) is being assembled incrementally, and is proposed to interconnect the capitals of east coast states;

WHEREAS, the thirty-five year history of greenway network planning and development within Raleigh and the region will accommodate the proposed High Speed Rail trail connection and serve as a mid-Atlantic hub to interconnect to other trail opportunities; and now

THEREFORE, the Triangle Greenways Council endorses the concept of a trail within the High Speed Rail corridor as a viable element of public infrastructure that will connect evolving regional mega regions, and provide multiple benefits including:

- (1) non-motorized trail for recreation and transportation purposes,
- (2) interconnection with similar local and regional greenway and trail facilities,
- (3) opportunity for close to home and long distance exercise to improve fitness,
- (4) expanded tourism opportunities and related economic advantages, and
- (5) more robust corridor width in specific locations [curve straightening and mitigation] that could be designed and managed to enhance localized ecological stability.

APPROVED By The TGC Board On June 22, 2009

RESOLUTION 2009-32

RESOLUTION SUPPORTING THE DEVELOPMENT OF THE SOUTHEAST HIGH SPEED RAIL CORRIDOR FROM WASHINGTON, DC TO CHARLOTTE, NC THROUGH WAKE FOREST, NC

WHEREAS, the United States Department of Transportation designated the Washington-Richmond-Raleigh-Charlotte rail corridor for future high-speed rail development in 1992; and

WHEREAS, a system of corridors have been designated nationally by the United States Department of Transportation, one being the Southeast Corridor, as the above described system is known; and

WHEREAS extraordinary economic and population growth in the Southeast region requires a comprehensive, multi-modal transportation system; and

WHEREAS high speed rail service will provide business and leisure travelers with a competitive alternative to air and automobile for trips between 100-500 miles; and

WHEREAS, much existing rail right of way is already in place which could accommodate improvements to passenger rail service; and

WHEREAS construction of a high speed rail corridor between Washington, DC and Charlotte NC through Wake Forest, NC will provide transportation options, ease the rate of congestion growth in the corridor, improve safety and energy effectiveness, improve air quality and improve transportation efficiency while minimizing impacts;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the Town of Wake Forest:

That the Board of Commissioners of the Town of Wake Forest supports and desires the development of higher speed rail service along the Federally-Designated Southeast High Speed Rail Corridor network described herein and supports the undertaking of planning, land acquisition and construction required to bring about implementation of these service improvements.

This, the 21st day of July 2009

a W. Harris

Motion by:

Frank Drake

Second by:

Margaret Stinnett

Mayor:

ATTEST:

Town Clerk

FINAL

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION AND

MEMORANDUM OF UNDERSTANDING

CSX TRANSPORTATION, INC.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("Memorandum") is made and entered into on the last date executed below, by and between the NORTH CAROLINA DEPARTMENT OF TRANSPORATION, an agency of the State of North Carolina, hereinafter referred to as "Department," and CSX TRANSPORTATION, INC., a Virginia corporation with its principal office in Jacksonville, FL, hereinafter referred to as "Railroad."

WITNESSETH

WHEREAS, the Department and Railroad (collectively referred to as the "Parties") have entered into this Memorandum to establish the principals in which they will work cooperatively in achieving common goals; and

WHEREAS, the capacity of the rail network serving North Carolina and our nation is strained, which impacts consumers, producers, shippers, communities, and citizens; and

WHEREAS, the Parties have a desire to pursue possible ways to improve freight and passenger rail services and intermodal connectivity, mutually improve rail network capacity and infrastructure, augment the overall economic value of the Railroad's assets, and create additional jobs and economic development within the State, and acknowledge that all of the above will be mutually beneficial to all Parties; and

WHEREAS, the Passenger Rail Investment and Improvement Act of 2008 (Division B of P.L. 110-432) and the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) ("the Acts") establish a program of federal capital grants to states and interstate high-speed rail compacts for infrastructure investments which will improve passenger, intermodal and freight services, create a new capital program for states to expand and improve conventional and high-speed intercity passenger rail services, facilitate competitive service provisions, provide grants to address critical rail network capacity needs, and encourage public-private partnerships that provide for the financing, design, construction, operation, and maintenance of high-speed rail services; and

WHEREAS, the United States Congress has appropriated \$8 billion and the President of the United States has recommended a program of additional investments at the rate of \$1 billion annually over the next five (5) Federal Fiscal Years for a total potential national availability of \$13 billion to develop high-speed rail and other investments in rail infrastructure that improve network capacity, safety, and reliability; and

WHEREAS, primary objectives of the Acts are to contribute to economic recovery efforts by creating and retaining jobs, advance strategic transportation goals that ensure safe and efficient transportation, build a foundation for future economic competitiveness, promote energy efficiency and environmental quality, support interconnected livable communities, and further development of high-speed and intercity passenger goals; and

WHEREAS, the United States Department of Transportation, working through the Federal Railroad Administration (FRA) and the Federal Highway Administration (FHWA) and pursuant to the National Environmental and Policy Act (NEPA) has issued a Tier I Record of Decision concerning development of the Southeast High Speed Rail Corridor ("SEHSR") connecting Charlotte through Greensboro and Raleigh to Richmond, Virginia, and on to Washington, D.C., an important step in forming and preserving a critical railroad corridor and improving the national rail network; and

WHEREAS, the Railroad, operating in and throughout the State of North Carolina, has asked the Department to support and cooperate in the development of the Railroad's National Gateway Initiative (NGI); and

WHEREAS, the Department has assisted the Railroad to obtain public funding and the State has authorized tax credits that can help finance construction and operation of major intermodal facilities which can become an important component of the NGI; and

WHEREAS, the Railroad, operating in and across the State, has been and will continue to be an important economic engine; and

WHEREAS, the Parties have collaborated on a program of rail infrastructure improvements between Cary and Raleigh under the North Carolina Railroad Improvement Project (NCRRIP), as well as other important capacity, mobility and safety projects in Greenville, Fayetteville, and elsewhere and have in place programs and working procedures to manage design, engineering, and construction of significant rail capital projects; and

WHEREAS, these rail infrastructure improvements have helped add network capacity and reduced modal conflicts, improving reliability for freight and passenger customers alike while also reducing passenger train travel times; and

WHEREAS, the Department has collaborated with the FRA and FHWA and other interests to develop and deploy the Sealed Corridor and Private Crossing Safety Initiative (PCSI) which have resulted in a reduction in the number of at-grade crossings and at-grade crossing collisions and fewer injuries and fatalities while also enhancing mobility and network capacity through a more reliable and safer operation of highway and railroad networks; and

WHEREAS, the Sealed Corridor and PCSI have been recommended by the FRA in the High Speed Rail Passenger Rail Safety Strategy as a national safety standard for public and private highway-rail grade crossing safety; and

WHEREAS, the Department acknowledges that the Railroad also has agreements for use of their corridor and right-of-way for rall freight and transit services and that Railroad has a common carrier obligation to provide freight service, all of which require coordination in design, planning, and implementation in order to make the most safe and optimal use of the Railroad's corridor for both freight and passenger rail services, taking into account public safety, necessary lateral track separation between different types of rail uses and equipment, at-grade crossing safety, overhead wire and bridge clearances, and the safety and protection of railroad employees and rail shipments including hazardous materials; and

WHEREAS, the Parties support the reduction of highway congestion, energy use, and pollution in the State, the improvement of railroad services, and efforts consistent with the long term State Rail and Logistics Plans; and

WHEREAS, the Parties have agreed to collaborate on a program of rall improvement projects to provide the capacity needed to operate freight and passenger trains and to improve overall service reliability, for which the plan for funding and construction is set forth below; and

WHEREAS, the Parties entered into a Master Construction Agreement, dated October 2, 2009; and

WHEREAS, the Parties agree that this Memorandum will be the framework to enter into addendum to the Master Construction Agreement and negotiate in good faith to enter into such other mutually satisfactory agreements, hereinafter referred to collectively with the addendums to Master Construction Agreement as "Definitive Agreements," as may be required to implement the program of projects and funding allocation to be used in supporting these projects.

NOW THEREFORE, for and in consideration of the mutual promises set forth below, the Parties understand and agree as follows:

1. <u>IMPROVEMENTS</u>: The Parties agree that rail improvement projects on the Railroad's network are necessary to achieve the joint goal of the Parties to increase capacity, safety, and service reliability.

- 2. MUTUAL BENEFITS: The Parties agree to implement projects, funded wholly or in part by the Acts, in accord with the Acts. The Parties will work cooperatively to devise a plan to (1) increase the rail capacity to allow more freight and passenger services within the State, (2) build additional facilities to facilitate/support additional services and jobs within the State, (3) utilize available new technologies and optimal designs to attain maximum benefit, and (4) improve the efficiency and reliability of rail traffic throughout the State.
- 3. <u>FUNDING</u>: The Department agrees to seek Federal funding of all projects which are eligible for funding under the Acts. If it becomes apparent to the Department that the necessary funding will not be made available for any project under its responsibility, the Department will immediately make such information available to the Railroad and neither party will be obligated to proceed with any project for which Federal funding is not available.
- 4. <u>SCOPE OF RESPONSIBILITIES</u>: Each of the Parties agrees to accept certain responsibilities under this Memorandum, subject where noted to reaching mutually satisfactory Definitive Agreements. Any changes in this Memorandum must be agreed to by the Parties in writing. Below is a list of the responsibilities of the Parties.
 - a) Railroad Responsibilities
 - Provide assistance to the Department in procuring funds to complete expeditiously the program of projects.
 - Review designs, contract plans, construction, and purchase and sale documents for the projects as defined under a separate supplemental agreement for each project.
 - For projects which the Railroad has construction responsibility, Railroad will make commercially reasonable efforts to complete the projects in a timely manner, pursuant to the terms of a mutually satisfactory addendum to the Master Construction Agreement.
 - 4. Will be responsible for performing maintenance services for the completed railroad projects in which the Railroad has construction responsibility under separate project specific addendums for each project pursuant to the terms and conditions of a mutually satisfactory Definitive Agreement.
 - 5. Coordinate with the Commonwealth of Virginia to enter into transactions at fair market values using mutually agreed upon corridor valuation methodology for real property interests and improvements in a tax efficient manner, as may be necessary and prudent to assist in development of the SEHSR Corridor, subject to the terms of a mutually satisfactory Definitive Agreement.
 - Coordinate with the Department for timely and efficient railroad construction monitoring and maintain improved infrastructure as specified in the mutually satisfactory and negotiated project addendums to the Master Construction Agreement.
 - b) Department Responsibilities
 - Appoint a project management structure (Project Manager) to coordinate the projects with the Railroad.
 - Make application for and secure such public funding for the projects as may be available
 and provide that funding to Railroad for projects on which the Railroad has construction
 responsibility, subject to the terms of a mutually satisfactory Definitive Agreement.
 - Procure authorization for any required highway-rail warning devices and other improvements including closure of existing railroad/highway at-grade crossings as mutually agreed to by the Parties and the local highway authority and/or municipality.

- 4. Procure any necessary approval of projects as described in terms of this Memorandum and all documents incorporated herein.
- 5. Implement all real estate, going concern, and access transactions in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended. Further, a qualified MAI real estate appraiser is to provide an opinion of the subject property's "market value" including a corridor factor, in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) using the appropriate corridor methodology.
- 6. Provide guidance to the Railroad in order to comply with the Acts and other Federal and State reporting requirements.
- Provide new capacity to permit the safe and reliable operation of new passenger trains for the federally-designated SEHSR Corridor and such capacity will be over and above existing and new freight capacity required by the Railroad.
- 8. Ensure no capital improvements or operational adjustments for passenger trains will impair freight service or reduce freight capacity serving freight customers.
- 5. REAL ESTATE AND ACCESS: The Parties agree to negotiate in good faith to reach mutually satisfactory Definitive Agreements, consistent with the Uniform Act and USPAP, that timely complete the following transactions:
 - To convey as a real estate property transaction the Railroad's property comprising the former S-Line from the South end of Collier Yard near Petersburg, Virginia, to Norlina, North Carolina, and
 - To sell as a going concern or enter into an access agreement with the Department for the portion of Railroad's active freight operation between Norlina and Cary, North Carolina, and
 - c) To work cooperatively with the Commonwealth of Virginia and the Department to provide compatible access for operation of passenger trains between Cary, North Carolina, and Washington, DC, subject to further analysis, agreements, and negotiations.
 - d) Any Definitive Agreement for the sale of real estate property will provide an exclusive easement to the Rallroad for freight rail operations.
 - e) Any Definitive Agreement for access to Railroad facilities will cover additional maintenance, dispatching, or any other support required by the Railroad to support any additional access. Any additional costs, included but not limited to capital and maintenance costs, associated with increasing the speed of passenger operations over 79 mph must be publicly funded under a Definitive Agreement mutually agreed between the parties.

The Parties expressly acknowledge that they have not reached any agreement on price or other terms and conditions for sale or access of any Rallroad properties as described in this Memorandum and that, regardless of any funds obtained by the Department, any Definitive Agreement for the sale or access of Railroad property remains contingent upon reaching mutually satisfactory terms and conditions, including price.

6. MAXIMUM OPERATING SPEEDS: The parties agree that passenger train speeds on the Railroad facilities may exceed 79 mph on certain limited segments of Railroad's tracks where the FRA may permit and approve and defined as follows:

- a) A-Line from Centralia, Virginia, to the south end of Collier Yard (Petersburg, Virginia) up to 90 mph on a separate track (3rd Main) laterally offset with at least 30 feet separated from the nearest freight track as preliminarily designed as part of the SEHSR environmental impact statement, and
- b) S-Line from the south end of Collier Yard (Petersburg, Virginia) to Norlina, North Carolina, at speeds greater than 90 mph, including speeds up to 110 mph and potentially higher on dedicated high-speed passenger track(s) in a Sealed Corridor, and
- c) S-Line from Cary to Raleigh, North Carolina, up to 90 mph, in accordance with FRA requirements for a Sealed Corridor and grade crossing warning device standards, unless superseded by separate agreement which may include but not be limited to trackage rights, sale, or other conveyance of the corridor to the Department. It is acknowledged by both parties that there is a Memorandum of Agreement Regarding Real Property Rights and Settlement Agreement, dated November 29, 2001, by and between the North Carolina Railroad Company and the Railroad, and
- d) S-Line between Raleigh and Norlina, North Carolina, up to 90 mph, in accordance with FRA requirements for a Sealed Corridor and grade crossing warning device standards, unless superseded by separate agreement which may include, but not be limited to trackage rights, sale, or other conveyance of the corridor to the Department, and
- e) The parties also agree that passenger train speeds above 79 mph will not be introduced on any other segments of the Railroad's network in the area covered by this Memorandum.
- 7. **EFFECT OF MEMORANDUM:** This Memorandum shall not affect any existing agreements between the Parties. It is further understood that this Memorandum does not purport to identify or address all the issues, terms and conditions, including, but without limitation to, railroad insurance, liability, compliance, taxation, indemnification, representations, warranties and compensation requirements that remain to be negotiated and mutually agreed between the Parties in connection with the Definitive Agreements.

For projects funded under the Acts, the addendums will include, among other points, the scope of the project, responsibility for project design and implementation of both construction and related operational improvements, maintenance responsibilities, management and mitigation of project risks, and required Railroad assurances, such as those concerning the application of collective bargaining agreements, for the work performed by the Railroad on the project and liability requirements.

In line with the FRA guidance concerning funding application requirements, the Parties acknowledge that certain Definitive Agreements may require governmental approval. All contracts entered into pursuant to the Acts also will include and comply with contract provisions promulgated by the Office of Economic Recovery and Investment and such provisions with be set forth in the applicable addendums.

- 8. <u>ADDITIONAL COVENANTS</u>: The Parties will use reasonable efforts and negotiate in good faith to enter into the Definitive Agreements.
- 9. TERM AND TERMINATION: This Memorandum will terminate on September 30, 2012, unless extended in writing by mutual agreement of the parties. Unless otherwise extended by mutual agreement, this Memorandum will automatically terminate on the termination date of this Memorandum, without any liability or obligation among the parties hereto. Either party in its sole discretion may terminate their participation in this Memorandum after providing 120 days written notice to the other party. Any such termination will not result in any liability or obligation for the terminating party to the other party to this Memorandum.

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum the day and year heretofore set out by their respective duly authorized officers.

ATTEST:

BY: J. Max. Carrider Analys / TITLE: Assistant Vice President Network Planning & Joint Facilities

DATE: 10/01/09

Remittance Address: CSX Transportation, Inc. 500 Water Street, Jacksonville, Florida 32202

DATE:

ATTEST:

BY: Secretary to Board of Transportation DEPARTMENT OF TRANSPORTATION

BY:

DATE:

Remittance Address: North Carolina Department of Transportation Rail Division Engineering & Safety Branch 1556 Mall Service Center Raleigh, NC 27699-1556